JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Regular Session 1930

VOL. III

Held in the State Capitol, in the Capital City of Kentucky,
at Frankfort, in the year of Our Lord 1930 and in
the One Hundred and Thirty-eighth
year of the Commonwealth.

Begun on the seventh day of January and
adjourned sine die on the twentieth day of March

CLIFFORD W. THOMAS, *Chief Clerk.*
LINDSAY RIDGWAY, *Assistant Clerk.*
JANE ADDAMS WADDLE, *Stenographer.*

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE COMMONWEALTH OF KENTUCKY.

THURSDAY, MARCH 6, 1930.

The House was opened with prayer by the Reverend T. C. Eckton of the Calvary Baptist Church of Lexington, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock	G. Cunningham	F. A. Gnau
E. S. Allison	William J. Curtis	L. B. Hamilton
U. G. Anderson	J. J. Davis	H. G. Handmaker
William B. Ardery	Winn Davis	Rev. B. L. Hargrove
W. O. Baxter	E. C. Dennington	J. F. Harrison
S. A. Blackburn	James R. Dorman	Robt. L. Horn
D. C. Bradley	S. J. Douthitt	C. E. Houk
T. L. Britton	C. B. Dowling	R. L. Jackson
John Young Brown	W. C. Dugan	Grover C. Johnson
J. Watt Brown	Thomas Dunn	Theron M. Johnson
John R. Buckman	J. W. Edwards	J. R. Johnston
Dr. R. A. Byers	William A. Eimer	M. F. Jordan
James A. Campbell	Garland Embry	A. R. Kincheloe
Lee Clark	J. O. Evans	John B. Klefot
Bradley Combs	Joseph B. Everhart	Frank LeBus
Elmer Cook	Virgil Eversole	Martin Light
W. W. Cooper	Kelly J. Francis	Fred V. Lucas
Ben L. Cox	John B. Furlong	H. R. Marquette
H. G. Crabtree	Ralph Gilbert	B. K. Marshall, Jr.

Joseph Martin	Andrew W. Nichols	Frank L. Strange
James A. May	H. L. Nickell	H. L. Taylor
Geo. R. McIntosh	Fred A. Nolte	Elmer J. Terry
T. R. McRoberts	Caleb A. Page	J. A. Thompson
Henry Meiman	Curtis F. Park	Thomas H. Troxel
Harry J. Meyers	J. D. Patton	C. B. Truesdell
Clarence Miller	James I. Peters	Dr. Vallandingham
Russell O. Miller	John H. Pickett	J. D. Via
M. F. Moore	John W. Preston	J. E. Walters
B. T. Morris	W. E. Randall	L. M. Weathers
F. Tyler Munford	Dorsey Ratliff	G. W. Wigginton
L. B. Murphy	Denny P. Smith	Robert Williams
M. L. Napier	D. O. Stanley	J. S. Milliken, Spkr.

Mr. Dorman of the Committee on Rules moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules moved that when the hour of twelve o'clock Meridian arrives today, that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

Mr. Dunn moved that a leave of absence be granted to Mr. Thomas.

Said motion was agreed to.

Mr. Lee Clark offered the following resolution, viz.:

Whereas, that section of Kentucky known as Jackson's

Purchase, in the extreme western end of the state, is composed of eight counties, with approximately four thousand five hundred miles of territory, and

Whereas, it is variously estimated that in these eight counties there have been built anywhere from four to ten miles of hard surfaced roads, similar to those leading from Frankfort to Lexington and from Frankfort to Louisville, and

Whereas there is some dispute as to whether one mile, four miles or ten miles of such hard surfaced roads have been built in the aforesaid section—the fairest and richest section over which a crow ever flew, or any bird for that matter, and

Therefore, Be It Resolved, that the Highway Commission of Kentucky be requird to report to this House within five days the mileage of hard surfaced roads, similar to those leading from and to the cities aforementioned, the exact number of miles and yards of such roads that have been built in the Jackson Purchase, after the Highway Commission since its establishment, has spent in this state more than $100,000,000, and

Be It Further Resolved, That the Chief Clerk of this House prepare immediately a copy of this resolution and send it to the Highway Commission, forthwith.

Said resolution was adopted.

At the instance of the Committee on Rules, the following bills and resolutions were introduced, ordered printed and referred to Committee on Rules, viz.:

By Mr. Nichols:

H. B. 756. An Act prescribing compensation to be paid County Clerks of the Commonwealth of Kentucky for performing their duties in making out tax bills for Boards of Education in districts embracing cities of the fourth class and

providing that said Boards of Education shall pay said Clerk for such services from the funds of such Boards.

By Mr. Handmaker:

H. B. 757. An Act fixing the salaries of first assistant Commonwealth's Attorney and second assistant Commonwealth's Attorney in counties in this Commonwealth having a population of two hundred thousand, or over.

By Mr. Dorman:

H. Res. 44. A Resolution authorizing the appointment of a commission to study and report to the next General Assembly recommendations for the reformation, repeal, amendment or enactment of our revenue laws, setting out the method of the appointment of such commission, providing their duties, and appropriating money for the expense thereof.

By Mr. Dorman:

H. Res. 45. A joint resolution for the appointment of a Commission to study the necessary permanent building program of the Commonwealth of Kentucky, in relation to its charitable and penal institutions, and to provide suitable buildings and housing for certain executive departments and judicial departments, to study the removal of the Court of Appeals, and the offices of the judges, and of the State Library.

By Mr. Dorman:

H. Res. 46. Resolution providing for furnishing Kentucky Directories.

By Mr. Denny P. Smith:

H. Res. 47. A resolution providing for the appoint-

ment of two Senators and three Representatives to constitute a joint committee of the General Assembly of the Commonwealth of Kentucky to investigate the conditions and needs of the Kentucky State Reformatory, etc.

By Mr. Curtis.

H. Res. 48. Directing the furnishing of certain publications to the members of the House of Representatives.

A message was received from the Senate announcing that they had passed bills which originated in the Senate entitled:

S. B. 379. An Act to amend and re-enact Sec. 911 Kentucky Statutes, 1930 Edition, being chapter 157 of the Acts of the General Assembly of 1928.

S. B. 329. An Act repealing para. 2739g-33 of Sec. 2 of Chapter 113 of the Acts of 1926 relating to the operation upon the State highways of tractors and farm machinery equipped with cleats.

S. B. 385. An Act rquiring that before a deed to real estate, title to which has been acquired by the grantor or grantors therein by descent from an ancestor, shall be filed for record an affidavit shall be filed with the Clerk of the county court.

S. Res. 36. Resolution thanking Gov. Byrd for courtesy extended to Legislature.

S. B. 176. An Act relating to tax collector in cities of the fourth class.

S. B. 267. An Act to repeal an Act entitled "An Act for the establishment and maintenance at each of the State

Hospitals for the Insane in Kenutcky a training school for nurses."

S. B. 308. An Act to amend and re-enact Sec. 2290a Chapter 74a of Carroll's Kentucky Statutes, 1922 Edition.

S. B. 337. An Act relating to the office of Assistant Secretary of State.

S. B. 359. An Act to repeal and re-enact Sec. 2380 subsec. 26, Kentucky Statutes, relating to the contract for the construction of the drainage project and how same shall be let by the Board of Drainage Commissioners.

S. B. 367. An Act amending Sec. 2739j-30 Kentucky Statutes, Baldwin's 1926 Kentucky Statute Service, being Sec tion 30 of Chapter 112 of Acts of 1926.

S. B. 118. An Act for the benefit of Mary Malissa Wells.

S. B. 201. An Act to regulate the buying or receiving, selling or disposing of used or second-hand articles, etc.

S. B. 342. An Act to amend and re-enact Sec. 1 of Chapter 143 entitled "An Act providing for oiling of the streets in cities of the 4th and 5th classes.

S. B. 277. An Act repealing Chapter 181 of the Acts of the General Assembly of 1928, and enacting in lieu thereof an Act establishing primary road project.

S. B. 312. An Act relating to primary road project.

S. B. 313. An Act relating to primary system of roads and highways.

S. B. 314. An Act relating to primary system of roads and highways.

S. B. 316. An Act relating to primary system of roads and highways.

S. B. 318. An Act relating to primary system of roads and highways.

S. B. 319. An Act relating to primary system of roads and highways.

S. B. 321. An Act relating to primary system of roads and highways.

S. B. 322. An Act relating to primary system of roads and highways.

S. B. 330. An Act relating to primary system of roads and highways.

S. B. 331. An Act relating to primary system of roads and highways.

S. B. 332. An Act relating to primary system of roads and highways.

S. B. 333. An Act relating to primary system of roads and highways.

S. B. 338. An Act relating to primary system of roads and highways.

S. B. 350. An Act relating to primary system of roads and highways.

S. B. 377. An Act relating to primary system of roads and highways.

S. B. 381. An Act relating to primary system of roads and highways.

S. B. 386. An Act relating to primary system of roads and highways.

S. B. 387. An Act relating to primary system of roads and highways.

S. B. 388. An Act to amend Sec. 4356t-5, relating to primary system of roads and highways.

S. B. 389. An Act relating to primary system of roads and highways.

S. B. 391. An Act relating to primary system of roads and highways.

S. B. 392. An Act relating to primary system of roads and highways.

S. B. 395. An Act relating to primary system of roads and highways.

S. B. 396. An Act relating to primary system of roads and highways.

S. B. 397. An Act relating to primary system of roads and highways.

S. B. 407. An Act relating to primary system of roads and highways.

S. B. 412. An Act relating to primary system of roads and highways.

Ordered that said bills be printed and referred to Committee on Rules.

And that they had passed bills which originated in this body entitled:

H. B. 9. An Act relating to a primary system of roads and highways.

H. B. 49. An Act relating to a primary system of roads and highways.

H. B. 50. An Act relating to a primary system of roads and highways.

H. B. 51. An Act relating to a primary system of roads and highways.

H. B. 52. An Act relating to a primary system of roads and highways.

H. B. 53. An Act relating to a primary system of roads and Highways.

H. B. 54. An Act relating to a primary system of roads and Highways.

H. B. 58. An Act relating to a primary system of roads and Highways.

H. B. 67. An Act relating to a primary system of roads and Highways.

H. B. 69. An Act relating to a primary system of roads and Highways.

H. B. 70. An Act relating to a primary system of roads and Highways.

H. B. 75. An Act relating to a primary system of roads and Highways.

H. B. 77. An Act relating to a primary system of roads and Highways.

H. B. 78. An Act relating to primary system of roads and Highways.

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H. B. 86. An Act relating to primary system of roads and Highways.

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H. B. 90. An Act relating to primary system of roads and Highways.

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H. B. 97. An Act relating to primary system of roads and Highways.

H. B. 107. An Act relating to primary system of roads and Highways.

H. B. 115. An Act relating to the primary system of Roads and Highways.

H. B. 129. An Act relating to the primary system of Roads and Highways.

H. B. 135. An Act relating to the primary system of Roads and Highways.

H. B. 136. An Act relating to the primary system of Roads and Highways.

H. B. 145. An Act relating to the primary system of Roads and Highways.

H. B. 148. An Act relating to the primary system of Roads and Highways.

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H. B. 552. An Act relating to the primary system of roads and highways.

H. B. 558. An Act relating to the primary system of roads and highways.

H. B. 560. An Act relating to the primary system of roads and highways.

Ordered that said House bills be delivered to the Enrolling Clerk of this House.

Mr. Dorman of the Committee on Rules reported bills of the following titles, viz.:

H. B. 389. An Act to amend Sec. 2326 of Carroll's Kentucky Statutes relating to the termination of a tenancy and one month's notice.

H. B. 583. An Act to amend Sec. 3469a-1 of Carroll's Kentucky Statutes relating to bond issue for school purposes in cities of the third class and providing for popular elections and the use of the proceeds and a tax levy to pay.

H. B. 584. An Act conferring authority to add suburban territory to the Board of Education of third class city's jurisdiction and for the purpose of paying the expenses.

S. B. 204. An Act to amend Sections 3, 4, 4a, 9, 10, 11, 12, 16, 18, 20, 21, 23, 33, 39, 40, 42, 42b, 43, 51, 52, 53, 63, 64 and 75 of an Act entitled "An Act to provide for an Elective System of Workmen's Compensation for Industrial Accidents."

H. B. 675. An Act to provide for building a monument on Big Hill in Butler county near Pipes Springs in memory of Granville Allen.

H. B. 684. An Act amending, repealing and re-enacting Sec. 3828-2, Kentucky Statutes, Carroll's 1922 Edition, being an Act concerning the parole of convicts.

H. B. 729. An Act providing that all educational Institutions which do junior college work and educational work above that standard, etc.

H. B. 603. An Act amending Chapter 31 of the Acts of the General Assembly of 1920, relating to the practice of Optometry and providing for a renewal registration fee.

H. B. 433. An Act regulating the time for a six-year old child to enter school.

H. B. 387. An Act to amend Sec. 1216 Kentucky Statutes, and re-enact same as amended.

S. B. 96. An Act to dispense with administration of the estates of deceased persons in certain cases.

S. B. 91. An Act concerning estates not exceeding one hundred dollars of persons under disability, to permit payment to those having custody of such persons.

S. B. 90. An Act to amend Sections 20 and 25 of an Act entitled "An Act concerning Guardians."

H. B. 619. An Act empowering the Insurance Commissioner of the State of Kentucky to suspend or revoke for a cause the license of an agent of a life insurance company.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the Calendar.

At the instance of the Committee on Rules the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 390. An Act to provide for the submission to the voters of the State for their rejection or ratification.

H. B. 724. An Act to amend Sec. 2005-1 of the Kentucky Statutes, concerning the compensation of members of the General Assembly.

H. B. 725. An Act to amend, repeal and re-enact Section 2005-2 of Kentucky Statutes, concerning the compensation of members of the General Assembly.

H. B. 722. An Act amending Sections 4356a-2 and 4356-a-3 Kentucky Statutes, being sections 2 and 3, repectively, of Chapter 174 of Acts of the General Assembly.

H. B. 574. An Act to repeal and re-enact Sec. 2380 subsec. 26 Kentucky Statutes, Carroll's Edition, 1922, relating to the contract for the construction of the drainage project.

H. B. 554. An Act providing for the use of probation and witholding of judgment in Circuit Courts of this Commonwealth.

H. B. 509. An Act to amend and re-enact Sec. 2290 Chapter 74a of Carroll's Kentucky Statutes, Edition of 1922.

H. B. 555. An Act to amend and re-enact Chapter 63 Sec. 2054 Art. 3 Carroll's Kentucky Statutes, entitled "An Act creating a Bureau of Sanitary Engineering for the study and improvement of water supplies and methods of sewerage."

H. B. 122. An Act to define, and license real estate brokers and real estate salesmen in each city of the first, second and third class.

With a Committee Amendment thereto by way of Substitute therefor.

H. B. 575. An Act to repeal and re-enact Sec. 2380, sub-

sec. 2 Kentucky Statutes, Carroll's Edition, being 1926 Supplement and being the Act as amended March 25, 1916, relating to the establishment of drainage districts and the petitioning therefor.

H. B. 616. An Act repealing and re-enacting Sec. 68 b-14 Kentucky Statutes, relating to the license record of dogs required to be kept by county court clerks.

H. B. 438. An Act repealing Sec. 2739g-7, Kentucky Statutes.

H. B. 333. An Act to repeal and re-enact Sec. 4356t-12 of Carroll's Kentucky Statutes, 1922 Edition, entitled "Purchase or condemnation of quarry, gravel, etc.

H. B. 41. An Act to reorganize the administration of the executive department of the state government and certain administrative departments of the government.

S. B. 151. An Act to amend and re-enact Sec. 3235a-28 of Carroll's Kentucky Statutes, 1922 Edition, relating to Board of Education.

S. B. 2. An Act relating to certificating superintendents and supervisors of public schools and fixing standards of qualifications for same and providing for reissue.

S. B. 59. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth.

H. Res. 36. A Joint Resolution authorizing suit against the Commonwealth of Kentucky on behalf of persons and firms named therein.

H. Res. 38. Joint Resolution for the benefit of the Kentucky Children's Bureau.

H. Res. 37. Resolution creating a committee to be known as the Kentucky Legislative Committee on Taxation.

H. Res. 35. Joint resolution providing for the participation of the Commonwealth of Kentucky in the celebration of the 150th anniversary of the foundation of the University of Transylvania.

S. B. 414. An Act to repeal and re-enact Secs. 1468, 1472, 1481, 1482 and 1483 and to enact a new Section 1483a, Carroll's Kentucky Statutes, 1922, relating to ballot boxes.

S. B. 390. An Act repealing and re-enacting Sec. 2000 Kentucky Statutes, Carroll's 1922 Edition, being an Act dividing the State of Kentucky into 38 senatorial districts.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 561. An Act authorizing the Wayne County Board of Education to pay Ray Taylor the sum of $402.50 for services rendered by said Taylor to said Board of Education.

Said bill is as follows, viz.:

Whereas, Ray Taylor taught a seven months' school term

in Wayne County in 1927-28 but did not receive any remuneration because of a technicality in the law which did not permit the issuance to him of a certificate until after the school term closed; and

Whereas, the records of the Wayne County Board of Education indicate that said Ray Taylor would have received a salary of $57.50 per month for the seven months he taught had the certificate been issued at the time he and the county board expected it to be issued; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Wayne County Board of Education is hereby authorized to draw its warrant upon the treasurer of the said board in favor of Ray Taylor for the sum of $402.50 to reimburse said Taylor for services rendered the Wayne County Board of Education.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. Watt Brown	Leonard Cook
U. G. Anderson	John R. Buckman	W. W. Cooper
W. O. Baxter	Dr. R. A. Byers	Ben L. Cox
S. A. Blackburn	James A. Campbell	H. G. Crabtree
D. C. Bradley	Lee Clark	William J. Curtis
T. L. Britton	Bradley Combs	Winn Davis
John Young Brown	Elmer Cook	E. C. Dennington

James R. Dorman	Robt. L. Horn	B. T. Morris
S. J. Douthitt	C. E. Houk	M. L. Napier
C. B. Dowling	R. L. Jackson	H. L. Nickell
W. C. Dugan	Grover C. Johnson	Caleb A. Page
Thomas Dunn	J. Roy Johnson	Curtis F. Park
J. W. Edwards	J. R. Johnston	James I. Peters
William A. Eimer	M. F. Jordan	John H. Pickett
Garland Embry	A. R. Kincheloe	John W. Preston
J. O. Evans	Martin Light	W. E. Randall
Joseph B. Everhart	Fred V. Lucas	Denny P. Smith
Virgil Eversole	H. R. Marquette	D. O. Stanley
Kelly J. Francis	Joseph Martin	Frank L. Strange
John B. Furlong	James A. May	H. L. Taylor
Ralph Gilbert	Geo. R. McIntosh	Elmer J. Terry
F. A. Gnau	T. R. McRoberts	J. A. Thompson
L. B. Hamilton	Henry Meiman	Thomas H. Troxel
H. G. Handmaker	Harry J. Meyers	J. E. Walters
Rev. B. L. Hargrove	Clarence Miller	L. M. Weathers
J. F. Harrison	M. F. Moore	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 605. An Act giving city council of towns of the fifth class the right to exempt from taxation for five years manufacturing establishments.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the city council of towns of the fifth class shall have power by ordinance to exempt from municipal taxation for a period of five years manufacturing establishments, as an inducement to their location within the city.

Mr. J. Watt Brown offered the following Amendment to said bill, viz.:

Amend H. B. 605 by inserting the words "and sixth" after the word "fifth" in line 1, Section 1.

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John R. Buckman	Winn Davis
E. S. Allison	Dr. R. A. Byers	James R. Dorman
U. G. Anderson	James A. Campbell	S. J. Douthitt
W. O. Baxter	Bradley Combs	C. B. Dowling
S. A. Blackburn	Elmer Cook	W. C. Dugan
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree	Garland Embry
J. Watt Brown	G. Cunningham	J. O. Evans

Joseph B. Everhart	John B. Klefot	Curtis F. Park
Virgil Eversole	Martin Light	J. D. Patton
Kelly J. Francis	H. R. Marquette	James I. Peters
John B. Furlong	B. K. Marshall, Jr.	John H. Pickett
Ralph Gilbert	Joseph Martin	John W. Preston
F. A. Gnau	James A. May	Dorsey Ratliff
L. B. Hamilton	Geo. R. McIntosh	Denny P. Smith
H. G. Handmaker	T. R. McRoberts	D. O. Stanley
Rev. B. L. Hargrove	Harry J. Meyers	Frank L. Strange
J. F. Harrison	Clarence Miller	H. L. Taylor
Robt. L. Horn	M. F. Moore	Elmer J. Terry
C. E. Houk	B. T. Morris	J. A. Thompson
R. L. Jackson	Tyler F. Munford	J. D. Via
Grover C. Johnson	L. B. Murphy	J. E Walters
J. R. Johnston	H. L. Nickell	L. M. Weathers
M. F. Jordan	Fred A. Nolte	G. W. Wiggington
A. R. Kincheloe	Caleb A. Page	Robert Williams

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Mr. Francis offered the following Amendment to the title of said bill, viz.:

Amend the title to H. B. 605 by inserting the following word after the word "fifth"—"sixth."

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Dorman of the Committee on Rules, moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 55. An Act to repeal and re-enact Sec. 4426b-1 Kentucky .Statutes, by Carroll, 1922 Edition, providing for the election of sub-district School Trustees, and filling the vacancies thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4426b-1, Kentucky Statutes by Carroll, 1922 Edition, be repealed and re-enacted so that when re-enacted said Section shall read as follows:

That on and after the passage of this act, Subdistrict Trustees in County rural school districts shall be elected by the qualified voters of such district every two years. The election shall be conducted by two persons possessing all the qualifications of electors who reside in the district, to be appointed by the County Board of Education. The election shall be held at the school house in each subdistrict on the first Saturday in May, between the hours of two o'clock P. M., and four o'clock P. M., and shall be by secret ballot. It shall be the duty of the County Clerk of each County to cause to be printed on such school ballots the names of all candidates for membership as Trustee in each district in whose behalf he shall be petitioned so to do, in writing by not less than ten legal voters of such district. The petition must be filed in the office of the County Clerk, not more than sixty days, and not less than fifteen days prior to the day of election, and each petition shall show the place of residence of each person signing it, and no person shall sign more than one petition for said office.

Such ballots shall be in form prescribed for ballots by the General Election laws of Commonwealth, except that no party emblem or other emblem or distinguishing mark shall be placed upon such ballot, save the words "school ticket" at the head thereof, and that the names of all candidates for Trustee

in each district shall be printed on such ballot in a single column in the order the petitions are filed. One additional line may be left blank. The Board of Education of each County in office at the time of election shall appoint the officers to hold all elections. The officers appointed to hold said election shall take an oath to be under the same responsibilities and subject to the same penalty as the officers holding the State or County election, but they shall make return of poll books and certify the results of election to the Board of Education of such district, which shall examine and compare the same, and issue certificates to the persons found to be elected.

The General Election law of the Commonwealth of Kentucky shall apply as to the duties of the County Clerk, and election officers in the matter of printing and distributing ballots, of issuing them to voters, or receiving and depositing them in the ballot boxes, and of counting and preserving them, and in other particulars, except as provided herein. Provided that it shall be the duty of the Sheriff of each county in which said school districts are situated to provide for each School Subdistrict a separate box for the reception of ballots used in said district election.

It shall be unlawful for an election officer or other person within the election booth to tell or indicate by word of mouth or otherwise to a voter what may be the political affiliation of any candidate, and a violation of this provision shall be a misdemeanor, punishable by a fine not exceeding $200.00.

The entire expense of such an election shall be paid from the School fund of such county, or each county.

Any vacancy that may exist in the Trusteeship of any school subdistrict shall upon the recommendation of the County Superintendent be filled by appointment by the County Board of Education, and the Trustee thus appointed shall hold office until the next regular election for such subdistrict trustee.

The person receiving the highest number of votes cast

shall be elected subdistrict trustee for a term of two years, and until his successor is elected and qualified.

Mr. Dennington moved the Previous Question.

Thereupon the Speaker announced "Shall the main question be now put?"

Which was decided in the affirmative.

Mr. J. Watt Brown offered the following Amendment to said bill, viz.:

Amend H. B. 55 in line 8 by cutting out the words "secret ballot" and substituting "open ballot."

Mr. Napier moved that said Amendment be laid on the table.

Said motion was agreed to.

Which under the rules of this House tables the bill.

Therefore H. B. 55 was tabled.

At the instanc eof the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 622. An Act to authorize and to add one additional Judge to the Circuit Court for the 30th Judicial district; and to regulate the criminal procedure therein.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whereas, it appears by the last enumeration (December, 1925) that the Thirtieth Circuit Court District has increased in popualtion more than 40,000 and to such an extent that it is impossible for one Judge to dispose of the business of said court in the Criminal Branch thereof with reasonable dispatch and the number of cases upon the docket of said Court, Criminal Branch, is constantly increasing and in order to expedite the trial of cases arising in the Criminal Branch of said Court and to relieve the congestion aforesaid, it is hereby provided:

§ 2. That one additional Judge of the Criminal Court for the Thirtieth Circuit Court district is hereby authorized and added to said Court, to be known as Judge of the Jefferson County Circuit Court, Criminal Branch.

§ 3. Said additional Judge shall preside over the Criminal Branch of the Jefferson Circuit Court and be designated and known as Judge of the Jefferson Circuit Court, Criminal Branch, Second Division.

§ 4. An election of such an additional Judge shall be held at the regular election to be held in November, 1930. He shall take his seat the first Monday in January 1931; he shall be commissioned by the Governor and shall preside over a branch of the said Court to be called Criminal Branch, Second Division; and he shall continue in office until his successor is elected and qualified. Until the first Monday in January, 1931, the place of such additional Judge shall be filled by appointment of the Governor; he shall, when appointed, be commissioned by the Governor as Judge of the Jefferson Circuit Court, Criminal Branch, Second Division, and shall take his seat as soon as he shall have qualified and shall continue in office until his successor is elected and shall have qualified.

§ 5. An election shall be held in the Thirtieth Circuit District to elect eight Circuit Judges on the first Tuesday after the first Monday in November, 1933, and every six years thereafter, under the general election laws of the Commonwealth of Kentucky; and said Judges shall enter upon the

duties of their respective office on the first Monday in January succeeding their election. They shall be commissioned by the Governor and continue in office until their successors are elected and qualified.

§ 6. The Criminal Branch of the Jefferson Circuit Court as now established is continued and will hereafter be designated and known as Jefferson County Circuit Court, Criminal Branch, First Division, and the presiding Judge thereof shall be known and designated as Judge of the Jefferson County Circuit Court, Criminal Branch, First Division.

§ 7. Grand Juries may be summoned and impanelled in both Divisions of the Jefferson County Circuit Court, Criminal Branch. But, unless in case of emergency, grand juries will not be in session in both Division One and Division Two at the same time. Grand Juries will be summoned and impanelled in Division Number One in the month of January of each year and in each alternate month thereafter, and in Criminal Division Number Two in the month of February of each year and in each alternate month thereafter.

§ 8. It shall be the duty of the Commonwealth Attorney of the Thirtieth Judicial District to prosecute all cases arising in both Divisions of said Criminal Court and to discharge all of the duties of his office in reference thereto, either in person or through such of his assistants as he may designate.

§ 9. The Judges of the Jefferson Circuit Court are authorized and empowered to provide by rule the manner and method whereby the various appeals taken to the Criminal Branch of that court may be allotted to the different Divisions and for a transfer of prosecutions from one Division to the other.

§ 10. It shall be the duty of the Sheriff and the Circuit Court Clerk of Jefferson County to assign proper deputies to the said Second Division.

Whereas, it appears that the docket of the Jefferson Circuit Court, Criminal Division, is congested and the trial of

cases thereby delayed, an emergency is declared to exist and this law shall become effective immediately upon its passage and approval by the Governor.

Mr. Gilbert moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 142. An Act relating to the employment of principals, teachers and supervisors for public schools, and prescribing the duties of the County Board of Education and subdistrict trustees thereto, and repealing all laws providing for subdistrict trustees to recommend to the county board of education, principals, teachers and supervisors.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

§ 1. That the county superintendent of schools shall nominate and recommend to the county board of education, principals, teachers and supervisors for schools, and that the county board of education may employ, principals, teachers and supervisors so recommended by the county superintendent, and said board is hereby authorized to place in each subdistrict such principals and teachers as in its judgment are best suited and qualified for such subdistrict.

§ 2. No member of said board shall vote for any relative who is recommended for employment as principal, teacher or supervisor.

§ 3. It is the duty of the subdistrict trustee to make known in writing to the county board of education within ten

(10) days before said teachers and principals are placed, the name of the teacher or principal so employed, which he prefers to teach the school in his subdistrict.

§ 4. All laws or parts of laws in conflict are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R. Dorman	M. F. Jordan
E. S. Allison	S. J. Douthitt	Frank LeBus
U. G. Anderson	C. B. Dowling	H. R. Marquette
W. O. Baxter	Thomas Dunn	James A. May
D. C. Bradley	J. W. Edwards	Henry Meiman
T. L. Britton	Garland Embry	Harry J. Meyers
John Young Brown	J. O. Evans	Clarence Miller
J. Watt Brown	Joseph B. Everhart	Russell O. Miller
John R. Buckman	Kelly J. Francis	M. F. Moore
Dr. R. A. Byers	John B. Furlong	B. T. Morris
James A. Campbell	Ralph Gilbert	F. Tyler Munford
Lee Clark	F. A. Gnau	L. B. Murphy
Bradley Combs	L. B. Hamilton	H. L. Nickell
Elmer Cook	H. G. Handmaker	Fred A. Nolte
Leonard Cook	Rev. B. L. Hargrove	Curtis F. Park
W. W. Cooper	Robt. L. Horn	John H. Pickett
Ben L. Cox	C. E. Houk	John W. Preston
H. G. Crabtree	R. L. Jackson	Denny P. Smith
Winn Davis	Theron M. Johnson	D. O. Stanley
E. C. Dennington	J. R. Johnston	H. L. Taylor

Thomas H. Troxel J. D. Via G. W. Wigginton
Speed H. Tye L. M. Weathers

—65

Those who voted in the negative were—

J. F. Harrison A. R. Kincheloe J. A. Thompson
Grover C. Johnson T. R. McRoberts

—5

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 597. An Act appropriating eighteen thousand dollars for the Kentucky State Industrial College for Colored Persons, at Frankfort, Kentucky for the purpose of paying outstanding accounts for services rendered and material bought and furnished to the officers and employees of said institution for the school year ended June 30, 1928, the budget allowed not being sufficient to satisfy said eighteen thousand dollars.

Said bill is as follws, viz.:

Whereas, during the school year beginning July 1, 1927, and ending June 30, 1928, the budget for the maintenance and operation of the Kentucky State Industrial College for Colored Persons, at Frankfort, Kentucky, through its officers and employees, expended its budget before the

expiration of the school year and thereby left unpaid many accounts and bills for services rendered and materials furnished said institution for its maintenance and operation during that school year in the sum of eighteen thousand ($18,000.00) dollars.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated to the Kentucky State Industrial College for Colored Persons, at Frankfort, Kentucky, the sum or eighteen thousand ($18,000.00) dollars to be paid out of the general expenditure fund to satisfy obligations and accounts incurred by the officers and employees of said institution to maintain it during said school year, this amount being necessary to maintain and operate said institution in excess of the budget allowed for that school year.

§ 2. Before the Auditor shall allow any account claimed, he shall require of the claimant an itemized statement of the account which shall show the date each item of expense was incurred and that claimant shall be further required to make affidavit in proof of his claim, the form of such affidavit to be prepared and approved by the Attorney General. The Auditor may also require proof of claimant as to the validity of his claim other than his own affidavit if Auditor so desires. No interest on claims shall be allowed.

§ 3. The persons who hold any indebtedness against said institution are in need of their money and have been compelled to wait for the payment of same with the loss of interest on the claims and, for this reason, an emergency is declared to exist and this act shall become a law upon its passage and approval by the Governor.

Mr. Dennington offered the following amendment to said bill, viz.:

Amend H. B. 597 by striking from said bill the words and

figures eighteen thousand dollars and substituting therefor twelve thousand dollars.

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Fred V. Lucas
E. S. Allison	C. B. Dowling	H. R. Marquette
U. G. Anderson	W. C. Dugan	B. K. Marshall, Jr.
William B. Ardery	William A. Eimer	Joseph Martin
W. O. Baxter	Garland Embry	James A. May
D. C. Bradley	J. O. Evans	Geo. R. McIntosh
T. L. Britton	Joseph B. Everhart	T. R. McRoberts
John Young Brown	Kelly J. Francis	Harry J. Meyers
J. Watt Brown	John B. Furlong	Clarence Miller
John R. Buckman	F. A. Gnau	Russell O. Miller
Dr. R. A. Byers	L. B. Hamilton	B. T. Morris
James A. Campbell	H. G. Handmaker	L. B. Murphy
Lee Clark	Rev. B. L. Hargrove	M. L. Napier
Bradley Combs	C. E. Houk	Andrew W. Nichols
Leonard Cock	R. L. Jackson	H. L. Nickell
W. W. Cooper	Grover C. Johnson	Fred A. Nolte
Ben L. Cox	J. R. Johnston	Caleb A. Page
H. G. Crabtree	M. F. Jordan	Curtis F. Park
William J. Curtis	A. R. Kincheloe	J. D. Patton
J. J. Davis	John B. Klefot	James I. Peters
Winn Davis	Frank LeBus	John H. Pickett
James R. Dorman	Martin Light	John W. Preston

Dorsey Ratliff	J. A. Thompson	J. D. Via
Frank L. Strange	Thomas H. Troxel	J. E. Walters
H. L. Taylor	C. B. Truesdell	G. W. Wigginton
Elmer J. Terry	Speed H. Tye	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of twelve o'clock Meridian, having arrived the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION.

The hour of one-thirty o'clock having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had passed a bill which originated in this House entitled:

H. B. 222. An Act to add road leading from Marion-Shady Grove Project —— in Crittenden county.

With an Amendment thereto.

(For bill see House Journal of February 21.)

Said Amendment as adopted in the Senate is as follows, viz.:

Amend H. B. 222 by striking out the word "Colds" in line 4 of the printed bill and insert the word "clay".

Said Amendment was concurred in.

Said bill was then passed as amended.

The yeas and nay being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Henry Meiman
E. S. Allison	W. C. Dugan	Harry J. Meyers
U. G. Anderson	J. W. Edwards	Clarence Miller
William B. Ardery	William A. Eimer	Russell O. Miller
W. O. Baxter	Garland Embry	M. F. Moore
S. A. Blackburn	J. O. Evans	B. T. Morris
D. C. Bradley	Virgil Eversole	Tyler F. Munford
T. L. Britton	Kelly J. Francis	M. L. Napier
John Young Brown	John B. Furlong	Andrew W. Nichols
J. Watt Brown	F. A. Gnau	H. L. Nickell
John R. Buckman	L. B. Hamilton	Fred A. Nolte
Dr. R. A. Byers	H. G. Handmaker	Caleb A. Page
James A. Campbell	J. F. Harrison	Curtis F. Park
Lee Clark	Robt. L. Horn	James I. Peters
Bradley Combs	C. E. Houk	John H. Pickett
Elmer Cook	R. L. Jackson	W. E. Randall
Leonard Cook	J. R. Johnston	Denny P. Smith
W. W. Cooper	M. F. Jordan	D. O. Stanley
Ben L. Cox	A. R. Kincheloe	Frank L. Strange
H. G. Crabtree	John B. Klefot	H. L. Taylor
G. Cunningham	Martin Light	Elmer J. Terry
William J. Curtis	Fred V. Lucas	C. B. Truesdell
J. J. Davis	H. R. Marquette	Dr. Vallandingham
Winn Davis	B. K. Marshall, Jr.	J. E. Walters
E. C. Dennington	Joseph Martin	G. W. Wigginton
James R. Dorman	James A. May	Robert Williams
S. J. Douthitt	T. R. McRoberts	—80

Mr. Dorman of the Committee on Rules moved that the

vote by which said bill was passed, as amended, be reconsidered and said motion lie on the table.

Said last named motion was agreed to.

The Senate also reported having passed,

H. B. 31. An Act to regulate and limit the use of the words drug, drugs, drug store, pharmacy, apothecary or any combination of such words or description of like import and providing a penalty for the violation thereof.

With an Amendment thereto.

(For bill see House Journal of February 10).

Said Amendment as adopted by the Senate, is as follows, viz.:

Amend H. B. 31 by adding to Sec. 1. at the end of line 9 these words:

Nothing in this measure is intended to limit, regulate or prohibit any store from keeping in stock or selling any harmless drug or patent medicine, and the right of a graduate in medicine, registered and in active practice, to keep at any time or place such drugs or medicines as he or she may need in the conduct of such practice shall not be questioned or abridged.

Said Amendment was then concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Garland Embry
J. O. Evans
Virgil Eversole
Kelly J. Francis
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Martin Light
Fred V. Lucas
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
T. R. McRoberts
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
Tyler F. Munford
M. L. Napier
Andrew W. Nichols
H. L. Nickell
Fred A. Nolte
Caleb A. Page
Curtis F. Park
James I. Peters
John H. Pickett
W. E. Randall
Denny P. Smith
D. O. Stanley
Frank L. Strange
H. L. Taylor
Elmer J. Terry
C. B. Truesdell
Dr. Vallandingham
J. E. Walters
G. W. Wigginton
Robert Williams
—80

Mr. Dorman of the Committee on Rules moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to, and

The Senate also reported having passed,

H. B. 156. An Act relating to the compensation to be paid city attorneys in cities of the 4th, 5th and 6th classes.

Ordered that said three House bills, last above named, be delivered to the Enrolling Clerk of this House.

A message was received from the Senate announcing that they had reconsidered and passed a bill, entitled:

S. B. 35. An Act repealing Sec. 4356t-2 and 4356t-3, Kentucky Statutes, as compiled in Baldwin's Kentucky Statutes Service issued in the year 1926, being Section 1, 2 and 3 of Chapter 195 of the Acts of the General Assembly 1926, and enacting in lieu thereof an Act creating a commission to be known as "The State Highway Commission of Kentucky."

The objections and veto of the Governor to the contrary notwithstanding.

(For bill see House Journal of February 17.)

The objections of the Governor and his reasons therefor are as follows, viz.:

VETO MESSAGE.

HOUSE SUBSTITUTE FOR SENATE BILL No. 35.

After carefully considering House Substitute for Senate Bill No. 35, known as the "Highway Ripper Bill", I have reached the conclusion that it is the most unprovoked, unsportsmanlike, unprogressive, unnecessary, unreasonable, unfair, unjust, undignified, unpatriotic, destructive, spiteful, reactionary and backward legislation that has been presented at this office for approval in the last decade. It has neither excuse for existence nor a right to live as a part of the law of this Commonwealth. It was conceived in retribution, envy,

jealousy, hate, and brought forth for the unholy purpose of reversing the decision of the people made at the polls in 1927, of humiliating the present incumbent of the office of Chief Executive, and to grab, contrary to the rules of fairness and of political procedure, patronage which by the Constitution and unbroken precedence, rightfully belongs to the Executive Department. Not a member of the Senate or House but whose constituents both advise and protest against his proceeding to make the Highway Department the football of politics; and, I will venture that the rumbling and grumbling which this bill has provoked back home will increase in volume and vociferousness, if this bill should become law, until the noise of protest will be so loud and deafening as to be heard in every nook and corner of the State and to overcome and swallow up all flimsy excuses such as "Party regularity", "We wanted the patronage", or "The others did it", which are now thought by some to be sufficient to quiet the fury of the voters whose homes and families are on mud roads, or who contemplate a tour of the State or some part of it by motor.

The spirit which fulminates "ripper bills" does not appeal to fair-minded and just people. On the contrary, they resent it even though done by their party. It is that kind of a reprisal or scuttle which requires explanation and apology, which no one justifies or approves.

Whence comes the demand for such a measure as this? Not a single member of the Daily Press of the State endorses it. Not a half dozen intelligently edited weekly or county papers endorse it or the representatives who voted for it. The few who even condone it have their own confessed reasons for bitterly opposing the present administration and everything it does.

I am morally certain that if all the conditions were completely reversed and if all the representatives of the party that has so greatly honored me were here unitedly demanding that I approve a bill that did to my State and to my fellow Democratic State officials what this bill seeks to do to me, I

would just as determinedly and readily stamp it with all the disapproval at my command.

If the measure involved no moral turpitude—nothing atrociously unjust to those who hold a commission from a majority of the people of the Commonwealth; if it violated neither the State nor the Federal Constitutions; if it unloaded on the Executive and Judicial branches of the State no unearned task for righting wilful misdeeds done by the Legislative branch; if it involved no political crime or conspiracy, reflecting upon the State and its people; if it could possibly withstand those tribunals of justice that so despise a subterfuge or evasion, it still could not withstand the light in which it will be viewed by history and posterity.

But aside from these, the immediate material harm done the Commonwealth justifies all that could be said against it. Coming on the heels of a tremendous cutting down and diversion of the road funds, it would mean, if finally enacted and finally approved by the Courts, years of set-back for road building and the Highway Department, the biggest, most important organization of the State. After two years' delay in our bridge building program, caused by unrighteous litigation, how can the Governor or any other man tell or begin to predict the delay and effect in and on road building now?

INACCURATE AND REPUGNANT.

The inconsistencies and inaccuracies in the language of the bill under discussion are too numerous to be all set out here. To illustrate it may be sufficient to call your attention to a few of the blunders and contraditions, such as the fact that Section One of this Act does not repeal Sections one, two and three of the Act creating the Highway Department, but it repeals the first, second and third Sections of "Chapter 192, Acts of 1926," creating the Kentucky State Park Commission, to which Commission you granted such important powers as the right of Eminent Domain the day after you passed a bill

abolishing it. Even the words of the title of the Act are at variance with the terms of the bill. It is all in confusion. Verily its sponsors were confounded.

Neither the title of the Act nor the Act itself warns the reader that it abolishes the office of State Highway Engineer and other important offices of Executive nature connected therewith, or that the Act is about to or does create an "Executive Officer," to be known as Chairman of the Highway Department and to be selected not by the Executive Department of the State but by a board appointed by an "Appointing Board," a majority of whom are not themselves Executive officers.

To these inconsistencies and omissions should be added the mysterious changes which appear between the printed substitute and the enrolled bill without any regular amendment as it is currently reported.

Look into the record of the Highway Department for the last two years and you find that it has accomplished more work— built more miles of road, grade, drain and surface, bridges, culverts, made more improvement, surfacing, marking, widening protecting by guardrails and post and cable and otherwise rendering our highways travelable than ever in history of the road department, in so short a time and that the Department is now in splendid financial condition, clean and above reproach, as shown by recent examinations made by approved expert accountants and by Civil Engineers and trained men from the Federal Highway Department at Washington. Last year approximately 1,200 miles of road was completed, graded, drained and surfaced, thus releasing from mud-bondage several hundred thousand good Kentuckians; and in addition to this, many other roads were repaired, resurfaced and improved. Work was going on at five or six hundred different places in the State at one time. The amount of money considered, Kentucky did more in highway construction and improvement last year than any State of the Union.

In the spending of these millions and the working of the several thousand men, there was no waste or misappropriation, none save such as must be expected in any undertaking where so large an organization is employed, and not as much as is found in some of the best conducted banks, manufacturing plants and railroads of this State. Confronted by this splendid record, why upset the department, drag it into politics, slacken the work and disappoint the people?

The present Commission and the engineering organization have plans for the present year which will get many hundreds of new miles of roads ready for use before the end of the season.

Too Many Commissioners.

Of reasons there are many against increasing the number of Highway Commissioners from four (4) to eight (8), and not one in favor of such an increase, unless it may be said that the creation of political patronage is a reason. It is, I believe, the antithesis of roads and of road construction.

If the numerical strength of the Commission is to be changed, it should be reduced. The taxpayers do not want their money to go for salaries of useless employees or commissioners, but they want roads for their money. A Commission of three would be better than five because it could and would accomplish more work and do it more systematically and at less expense. There is sound philosophy in the old familiar aphorism that the smaller a committee the better it functions. Several States have a Highway Commissioner—not a Commission—and these are among the most progressive States in road building.

The Commissioners under the old law as well as under the proposed law, receive and are to receive $20.00 per day. Our present Commission with four members costs $80.00 per day to hold a meeting, while under the proposed new Commission it will cost $160.00, per day, to hold a meeting and do less

work. Under the old law the State pays the traveling expenses and hotel bills of four members, but under the terms of the bill we are now considering, the State will be required to pay the hotel bills and traveling expenses of eight persons. A Commission of four persons will accomplish much more in a day than one of eight persons. The more numerous the personnel of the Commission the more slowly it functions; its accomplishments decrease in exact ratio to the increase in its personnel. I know that from long service upon the bench of the Court of Appeals of Kentucky, which is composed of seven Judges and four Commissioners, working in two divisions, each composed of the Chief Justice, three Judges and two Commissioners. A division of the Court as thus constituted, dispatches the work much more rapidly than the entire Court. When the whole Court sits in consultation each member, and properly so, has his say about each case. This takes up time although the results are not different from a decision by a division. The same is true of four Highway Commissioners; they will dispatch more work in a day than a Commission of eight will. Thus it will be seen that the expense of the four extra members of the proposed commission cannot be justified but that they will be a positive hindrance in the work of road building.

Moreover, in a Commission of four (4), three (3) constitute a quorum in the conduct of business; while in a commission of eight, it takes five to make a quorum, and oftimes it is difficult to bring that many persons together even though important business awaits consideration.

The new bill provides for an audit of each claim by each of the eight Commissioners. As it is hardly likely the Commissioners will be expert accountants, or Highway Engineers, and there are many thousand items and claims to be audited, it will be seen that the task would be interminable, and there would be no time for Commissioners to visit their districts, inspect proposed roads and conduct field work such as is required of them by this proposed bill.

Then, too, the road program their year would suffer great delay if this bill should become operative, because the new Commissioners, or at least all but one, would be entirely unfamiliar with the road program in the State and with the working of the Commission, and would not be able to act as promptly and as effectively as the Commissioners now in office with months of experience.

Over and above all that, according to common rumor, there is much question as to the constitutionality, validity and workability of the new bill, and this no doubt will bring about much litigation and delay, to the loss and disgust of the people who are waiting and begging for roads and road improvement.

Hence, it is manifest that the proposed new Commission of eight, would bring all the burdens, disadvantages and expense to the State without in any wise aiding road construction or advancing the interest of the Commonwealth in the slightest degree from any standpoint.

DISTRICTS UNFAIR.

A glance at the gerrymander of the State into eight road districts will impress any thinking person with the utter disregard of the rights of the citizens, displayed by those who devised it. Districts are unequal in both size and population. To illustrate, let me call your attention to the third and fourth road districts as set out in this bill. The area of the fourth district is much larger than that of the third; and the population of the fourth is perhaps three times greater than that of the third; and this is likewise true of the second and first road districts. Road District number six includes nearly all of the seventh and eighth congressional districts and is much larger in area and population than either the fifth, third, second or first road districts. The seventh proposed road district is immense and extends from the Ohio River on the north entirely across the State to the Virginia line at the

southeast, ripping in two the proposed eighth road district, as will be seen from a glance at a map attached hereto, and, includes all of the Ninth Congressional District except two counties, and takes in part of the Tenth and Eleventh Congressional Districts. Unless this district was strung out in this fashion for the purpose of accommodating some political personage, or to deceive several different applicants for appointment as Road Commissioner, it is hard to divine the reason for such unnatural and unfair arrangement. The population of the Seventh District is several times as large as some of the other districts. But the most pitiful as well as inexcusable arrangement is that of the proposed eighth District, which is divided in the middle, part on the east of the proposed seventh road district and part on the south and west thereof. Either end of the eighth district is as large as almost any of the other districts in population and area. Such a division, such arrangement of this district is wholly unjust and inexcusable.

IRREGULAR GERRYMANDERING.

We have been gerrymandering where it was necessary to put certain counties into certain districts and leave others out until the Districts were nicknamed "Shoestring districts," and had border lines that resembled picture puzzles in their wealth of scallops, curves and angles. But never before in the history of the world was there created out of one State eight districts, one of which is in two parts of the State entirely separated from each other, and requiring a member to be in his district, to put one foot in the eastern half and straddle the entire counties of Perry and Leslie, et al., in order to put the other foot in the other one-half of his District.

No member of the House or Senate of either political party, who lives in eastern or southeastern Kentucky, or even in the proposed seventh road district, can paliate the wrong done this great section by such a sub-division of the road districts, and look his neighbor in the face when he returns home.

The people will not excuse such rank injustice even for the sake of party regularity or party expediency, the only reasons that have so far been or can be offered for these outrages against the Highway Department and the road program.

HIGHWAY DEPARTMENT NOT POLITICAL ORGANIZATION.

On every day of the more than two years, which I have occupied the office of Governor, there have been on the payroll of the Highway Department more Democrats than Republicans, and that is true even today as through all the past. At the height of the season last summer when more than 6,000 men were in the employ of the Department, upwards of sixty per cent of them were Democrats and less than forty per cent Republicans, although this is supposed to be a bipartisan Commission, two Democrats and two Republicans on the Commission. In some counties and large districts where road work was going on and the State had numerous persons upon its payroll, not a single Republican was employed, but that was not true of any county or large district as to Democrats. The Department has not been organized for political purposes, is not now and will not be so long as I have power to prevent it.

But all this propaganda about the political acitivities of the Department, not founded on facts, are mere fancy, intended to provide a flimsy excuse for this ripper bill. I presume it is true that those who were Democrats, worked for and voted the Democratic ticket as did the Republicans work and vote the Republican ticket, like other citizens do and as they had a right to do as free citizens. But I do not believe they were perniciously active on either side; especially is that applicable to the engineers and those in immediate charge of road construction both in the central office and in the district offices and rural organization. The Department should not and must not become involved in the mire of little, dirty, partisan politics; if this should happen the people will mire

in the mud and stay there as long as it is dominated by politics.

In the name of those thousands of Kentuckians who are mud-bound, those who have no travelable road, and of those who have imperfect roads; in the name of all Kentuckians who want to advance, I appeal to the General Assembly to save the Highway Department from destruction as a sacrifice to political expediency, and to give those people now without roads a chance to get to their churches, schools, and markets and to enjoy the pleasures which are yours who motor over good roads, at State expense.

Summarizing, allow me to say that I cannot conscientiously and will not, therefore, approve House Substitute for Senate Bill No. 35, because

(1) It is repugnant in its terms and provisions;
(2) It is contrary to the letter and spirit of our Constitution;
(3) It contains many inaccuracies and inconsistencies;
(4) It is inexcusably and wickedly unfair, and unjust in its gerrymander of the State into eight Highway Districts;
(5) It creates a number of new offices and thus increases the burden of the taxpayers;
(6) It attempts to create a political machine for partisan purposes to be carred on at the expense of the people;
(7) It destroys the present Highway organization that has required years to build and which is so efficiently functioning for the good of the State at the present time;
(8) Its objects and purposes are partisan—it was intended to build political fences rather than highways and bridges;
(9) It makes the Commission partisan with its principal object the promotion of partisan politics and the advancement of the candidacy of certain persons who have indicated their intention to run for high State offices;

(10) It increases the membership of the Highway Commission from four (4) to eight (8) and thus reduces its efficiency while making it more expensive to the taxpayers;

(11) Salaries of Commissioners are increased from $16,000 to $24,000, per year, and the traveling expenses, hotel bills, railroad fare and transportation, will be increased one hundred per cent;

(12) It destroys the engineering department, removes the Chief Engineer, or at least strips him of all authority;

(13) It imposes upon the members of the Highway Commission the duty of deciding the feasibility and practicability of engineering projects in which they are not trained;

(14) It will make possible, and I am informed it pledges, to put at the head of the Commission a deposed former Chairman of the Highway Commission whose object, will be to punish his enemies throughout the State by locating and constructing roads, if any, to their disadvantage;

(15) The work of the Commission will be slowed down because the work of any Commission decreased in exact ratio to the increase of its membership, and for the further reason that in meetings each member must have time to consider and discuss the questions, and the time thus consumed by a numerous body is much greater than one of smaller membership and the result will not be different;

(16) Litigation will accumulate and the Courts will finally be required to determine the validity of such legislation as here proposed and the right of the Commission named hereunder to displace the Commission now functioning;

(18) The Highway Department will be thrown into confusion and bitter strife will result; work will cease and our roads will not be maintained and the system now

so far advanced will be allowed to deteriorate and Kentucky will again become known as a "detour" State.

Manifestly this bill is unfair, unjust and discriminatory. It should be defeated for its reflects unfavorably upon the sincerity and integrity of the members of the General Assembly. It denies to the people on mud roads a fair chance, puts the Highway Department into partisan politics; turns us backward, ties our hands and threatens the welfare of all Kentucky. I cannot, therefore, approve it.

Believing the reasons against House Substitute for Senate Bill No. 35, generally known as the "Highway Ripper," are overwhelming, it is disapproved and I attach the foregoing as complete justification for this veto.

FLEM D. SAMPSON, *Governor*
Commonwealth of Kentucky.

March 6, 1930.

Mr. Dorman of the Rules Committee moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, the objection and veto of the Governor to the contrary notwithstanding, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	T. R. McRoberts
E. S. Allison	J. W. Edwards	M. F. Moore
S. A. Blackburn	J. O. Evans	B. T. Morris
D. C. Bradley	Kelly J. Francis	Tyler F. Munford
John Young Brown	John B. Furlong	L. B. Murphy
J. Watt Brown	Ralph Gilbert	M. L. Napier
John R. Buckman	F. A. Gnau	Andrew W. Nichols
James A. Campbell	L. B. Hamilton	H. L. Nickell
Lee Clark	Rev. B. L. Hargrove	James I. Peters
Elmer Cook	J. F. Harrison	Denny P. Smith
Leonard Cook	Robt. L. Horn	D. O. Stanley
W. W. Cooper	C. E. Houk	Frank L. Strange
Ben L. Cox	R. L. Jackson	Elmer J. Terry
H. G. Crabtree	Theron M. Johnson	J. A. Thompson
G. Cunningham	J. R. Johnston	J. D. Via
William J. Curtis	M. F. Jordan	J. E. Walters
Winn Davis	John B. Klefot	L. M. Weathers
E. C. Dennington	Frank LeBus	G. W. Wigginton
James R. Dorman	Martin Light	J. S. Milliken, Spkr.
S. J. Douthitt	James A. May	—59

Those who voted in the negative were—

U. G. Anderson	H G. Handmaker	Caleb A. Page
William B. Ardery	Grover C. Johnson	Curtis F. Park
W. O. Baxter	A. R. Kincheloe	J. D. Patton
T. L. Britton	Fred V. Lucas	John H. Pickett
Dr. R. A. Byers	H. R. Marquette	John W. Preston
Bradley Combs	B. K. Marshall, Jr.	W. E. Randall
J. J. Davis	Joseph Martin	Dorsey Ratliff
W. C Dugan	Geo. R. McIntosh	H. L. Taylor
Thomas Dunn	Henry Meiman	Thomas H. Troxel
William A. Eimer	Harry J. Meyers	C. B. Truesdell
Garland Embry	Clarence Miller	Speed H. Tye
Joseph B. Everhart	Russell O. Miller	Dr. Vallandingham
Virgil Eversole	Fred A. Nolte	Robert Williams

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Mr. Dorman moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 12. Resolution authorizing Charles Brown to sue the Commonwealth of Kentucky.

With a Committee Amendment thereto by way of Substitute therefor.

Said resolution is as follows, viz.:

Whereas, in the year 1923, the State Highway Commission was constructing a public highway, No. 25, from Corbin toward Knoxville, in Whitley County, Kentucky, and

Whereas, on June 29, 1923, Charles Brown was employed, and acting as a rodman with a surveying crew of the State Highway Commission, when he was struck in the left eye by a grade stake thrown to him by another employe of said State Highway Commission, the result of this accident causing him to lose the sight of said left eye, and

Whereas, if such damage was sustained through the negligence of the State Highway Commission, a reasonable damage should be paid the said Charles Brown by the Commonwealth of Kentucky; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That said Charles Brown be, and he is hereby authorized and permitted to sue the Commonwealth of Kentucky, in the

Franklin Circuit Court for such damages as he may have suffered, if any, by reason of any injury to his left eye caused by the negligence of the State Highway Commission, and in the event any judgment is recovered by said Brown in said suit, same shall be paid by the Treasurer on warrant from the Auditor, and the Commonwealth of Kentucky shall have the right to appeal as in any other civil case.

Said Substitute is as follows, viz.:

Committee Substitute for Joint H. Res. 12. Resolution for the benefit of Charles Brown of Whitley County, Kentucky.

Whereas, on the 28th day of January, 1923, Charles Brown, who was then employed by the State Highway Commission of the Commonwealth of Kentucky as rodman, whilst in the performance of his duties as such rodman was seriously, painfully and permanently injured by the fact that another employee named Allie Willson of the State Highway Commission pitched a grade stake to the said Charles Brown which struck him in the left eye and put the eye practically out incapacitating him from manual labor and necessitating the expenditure of a considerable sum of money for medical attention, hospital bills, etc.

Whereas, said Charles Brown is now thirty-three years of age and was at the time of his said injury earning One Hundred Dollars per month and was because of said injury required to expend the sum of Eight Hundred Dollars for medical attention, hospital bills, etc., and is yet under the care of a physician and unable to do manual labor, it is now the expressed sense of the General Assembly that said Charles Brown should be compensated for said injury and resultant loss of earning power.

Be it therefore resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of the Commonwealth be, and he is directed to draw his warrant for the sum of Twenty-Five

Hundred Dollars, payable to the said Charles Brown, and the Treasurer is directed to honor said warrant and pay same to the said Charles Brown, same to be charged to the General Road Fund of the Commonwealth of Kentucky.

Ordered that said resolution be engrossed and read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Frank LeBus
E. S. Allison	W. C. Dugan	Martin Light
U. G. Anderson	Thomas Dunn	Joseph Martin
W. O. Baxter	William A. Eimer	James A. May
S. A. Blackburn	Garland Embry	Geo. R. McIntosh
D. C. Bradley	J. O. Evans	T. R. McRoberts
T. L. Britton	Joseph B. Everhart	Harry J. Meyers
John Young Brown	Virgil Eversole	Russell O. Miller
John R. Buckman	Kelly J. Francis	M. F. Moore
Dr. R. A. Byers	John B. Furlong	B. T. Morris
James A. Campbell	Ralph Gilbert	L. B. Murphy
Lee Clark	F. A. Gnau	M. L. Napier
Bradley Combs	L. B. Hamilton	H. L. Nickell
Leonard Cook	H. G. Handmaker	Fred A. Nolte
W. W. Cooper	C. E. Houk	Caleb A. Page
Ben L. Cox	R. L. Jackson	Curtis F. Park
H. G. Crabtree	Grover C. Johnson	John H. Pickett
William J. Curtis	J. R. Johnston	John W. Preston
James R. Dorman	M. F. Jordan	W. E. Randall
S. J. Douthitt	A. R. Kincheloe	Dorsey Ratliff

Denny P. Smith	H. Speed Tye	J. E. Walters
D. O. Stanley	Dr. Vallandingham	L. M. Weathers
Frank L. Strange	J. D. Via	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 721. An Act to repeal and re-enact Sec. 2580a-1 Kentucky Statutes, relating to the jurisdiction of lands ceded to the United States, for National Park purposes near Mammoth Cave.

Said bill is as follows, viz.:

An Act to repeal, amend and re-enact Section 2508a-1, Kentucky Statutes, Carroll's 1922 Edition, relating to the jurisdiction of lands ceded to the United States for National Park purposes near Mammoth Cave.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2580a-1, Kentucky Statutes, Carroll's 1922 Edition, be repealed, amended, and re-enacted so that when said section is so repealed, amended, and re-enacted it will read as follows:

That jurisdiction of the Commonwealth of Kentucky is hereby ceded to the United States of America over so much of any lands, not exceeding 70,316 acres, as may be selected in

Edmonson, Hart, and Barren Counties, Kentucky, at and near Mammoth Cave, as recommended in report by the Appalachian National Park Commission to the Department of the Interior, and as set out in an Act of Congress of May 25, 1926; and acquired and used by the said United States of America for the purpose of establishing and maintaining a national park, and said premises and all government property thereon shall be exempt from all taxes and assessments so long as the same shall remain the property of the United States of America. But this cession is upon the express condition that the Commonwealth of Kentucky shall so far retain concurrent jurisdiction with the United States of America over said lands as that all criminal and civil processes issued under authority of this Commonwealth may be executed thereon in like manner as if this act had not passed.

§ 2. Nothing in this act contained shall interfere with the jurisdiction of the United States of America over any matter or subjects set out in the Act of Congress to establish a national park at Mammoth Cave, Kentucky, or with any laws, rules or regulations that Congress may adopt for the preservation and protection of its property on said lands and approaches thereto and the proper maintenance of good order thereon.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Strange offered the following Substitute for said bill, viz.:

An Act to provide for the conveyance to the United States of America of certain land for national park purposes agreebly to this Act and the Act of the General Assembly of the Commonwealth of Kentucky, approved February 28, 1928, known as the Strange-Bartlett Act, Chapter 164, page 550, Acts of 1928, and any amendments thereto; and as contemplated and provided for in and by the Act of Congress of the

United States entitled "An Act to provide for the Establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes," approved May 25, 1926 (44 Stats. 635), and as may be provided for in any amendments which may be made to said Act of Congress; also, for the cession, to the United States of America, of jurisdiction over said lands for national park purposes, with certain reservations to the State of Kentucky touching the question of jurisdiction; for the repeal of all laws, or parts of laws, of the State of Kentucky inconsistent or in conflict herewith; and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Sec. 1. That the United States of America (hereinafter referred to as the United States) be, and it is hereby authorized to acquire by conveyance, gift, or donation to it, or otherwise, pursuant to the provisions of this Act, as well as in pursuance of the provisions of the Act of the General Assembly of the Commonwealth of Kentucky, entitled "An Act to create a State Commission, to be known as the Kentucky National Park Commission," etc., approved February 29, 1928, known as the Strange-Bartlett Act, Chapter 164, page 550, Acts of 1928, and any amendments thereto, the lands, including the caves and caverns underlying the same, within the area hereinafter referred to, as well as any lands contiguous or adjacent thereto which may hereafter be duly authorized for acquisition for national park purposes, for the purpose of converting same into, and for the establishment and maintenance thereon of a national park as contemplated and provided for in and by the Act of Congress of the United States entitled "An Act to provide for the establishment of the Mammoth Cave National Park in the State of Kentucky, and for other purposes," approved May 25, 1926. (44 Stat. 635), and as may be provided for in any amendments which may be made thereto. The said lands are referred to in the said Act of Congress, and consist, as in that Act indicated, of approxi-

mately seventy thousand, six hundred and eighteen acres; they are situated in the counties of Edmonson, Barren, and Hart, in the State of Kentucky; and the general boundaries thereof, are set forth in the report of the Southern Appalachian National Park Commission to the Secretary of the Interior, under the date of April 8, 1926; and by said Commission the said lands were recommended as a national park area, to be known as the Mammoth Cave National Park.

Sec. 2. That the exclusive jurisdiction shall be, and the same is, hereby ceded to the United States over, within, and under all the territory in the State of Kentucky, thus to be, and as, deeded or conveyed to, or acquired by, the United States; saving and reserving, however, to the State of Kentucky the right to serve civil and criminal process, issued under its authority, within the limits of the land or lands thus deeded or conveyed to, or acquired, by the United States, in suits or prosecutions for, or on account of, rights acquired, obligations incurred, or crimes committed in said State outside of said land or lands, and on account of rights acquired, obligations incurred, or crimes committed on, or within, said land or lands prior to the date of the giving or service of notice as hereinafter provided, of the assumption of police jurisdiction over such land or lands by the United States; and further saving and reserving to the said State the right to tax sales of gasoline and other motor conveyance fuels, and oils for use in motor conveyances, except to the extent that such gasoline and other fuels and oils may be used by the United States Government and its agents in the administration, protection, improvement, maintenance, development, and operation of the said land or lands deeded or conveyed as aforesaid; and, also, further saving and reserving to the said State of Kentucky the right to tax persons, firms, and corporations, their franchises and properties, on the said land or lands, deeded or conveyed as aforesaid; and saving and reserving, also, to persons residing in or on any of the land or lands

deeded or conveyed as aforesaid, the right to vote at all elections within the respective counties of their residence, upon like terms and conditions, and to the same extent, as they would be entitled to vote in such counties had not such land or lands been deeded or conveyed, as aforesaid, to the United States; Provied, however, that such jurisdiction shall not invest in the United States unless, until, and as, the United States, through the Secretary of the Interior, notifies the Governor of the State of Kentucky, and through him the said State, that the said United States assumes police jurisdiction over the land or lands thus deeded or conveyed.

Sec. 3. That power be, and the same is, hereby conferred on the Congress of the United States to enact such laws as it may deem necessary or desirable for the acquisition of the aforesaid lands; and, further, to enact such laws, and to make and provide for the making of such rules and regulations, of both civil and criminal nature, as in its judgment may be proper in the exercise of the jurisdiction hereby granted and ceded, and in order to carry out the purposes of the aforesaid Act of Congress of May 25, 1926, and of any amendments thereof.

Sec. 4. That all the lands so to be conveyed to, and acquired by, and when so conveyed to, and acquired by, the United States, and all improvements made or maintained thereon, by the United States, as well as all personal property owned, used, or kept by the United States on said lands, shall be and remain free and exempt from any and all taxes and assessments imposed or levied by or under the authority of the State of Kentucky, or any county, municipality, or district thereof.

Sec. 5. All laws and parts of laws, enacted by the General Assembly of the State of Kentucky, which may be inconsistent, or in conflict, with the provisions of this Act, are hereby repealed.

Sec. 6. If any section or provision of this Act shall be held to be invalid, the other sections and provisions hereof, to

the extent they may be separable, shall not be affected thereby.

Sec. 7. Since lands and cave properties in the aforesaid area are being acquired for conveyance to the United States for national park purposes, as aforesaid; and as it may be found necessary or desirable to make certain of such conveyances without delay; and in order that the provisions of this Act may become immediately operative in order to meet any contingencies which may arise, an emergency is hereby declared to exist, and this Act shall take effect from and after its passage.

Said Substitute was adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Dr. R. A. Byers	E. C. Dennington
E. S. Allison	James A. Campbell	James R. Dorman
U. G. Anderson	Lee Clark	S. J. Douthitt
William B. Ardery	Bradley Combs	C. B. Dowling
W. O. Baxter	Elmer Cook	W. C. Dugan
S. A. Blackburn	Leonard Cook	Thomas Dunn
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree	Garland Embry
J. Watt Brown	G. Cunningham	J. O. Evans
John R. Buckman	Winn Davis	Joseph B. Everhart

Virgil Eversole	H. R. Marquette	John W. Preston
Kelly J. Francis	B. K. Marshall, Jr.	W. E. Randall
John B. Furlong	James A. May	Dorsey Ratliff
Ralph Gilbert	Geo. R. McIntosh	Denny P. Smith
F. A. Gnau	T. R. McRoberts	D. O. Stanley
L. B. Hamilton	Henry Meiman	Frank L. Strange
Rev. B. L. Hargrove	Harry J. Meyers	H. L. Taylor
C. E. Houk	M. F. Moore	Elmer J. Terry
R. L. Jackson	B. T. Morris	J. A. Thompson
Grover C. Johnson	Tyler F. Munford	Thomas H. Troxel
Theron M. Johnson	M. L. Napier	C. B. Truesdell
J. R. Johnston	Andrew W. Nichols	Dr. Vallandingham
M. F. Jordan	H. L. Nickell	J. D. Via
A. R. Kincheloe	Caleb A. Page	J. E. Walters
John B. Klefot	Curtis F. Park	L. M. Weathers
Frank LeBus	J. D. Patton	G. W. Wiggington
Martin Light	James I. Peters	Robert Williams
Fred V. Lucas	John H. Pickett	—86

Mr. Strange moved that the title of said Substitute be substituted for the title of said bill.

Said motion was agreed to.

Resolved that the title thereof be as amended.

Mr. Dorman moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 546. An Act fixing the salary of the Commissioners of Water Works in such cities of second class as now own a

water-work system at not exceeding twelve hundred ($1,200) dollars nor less than three hundred ($300) dollars per annum.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Water-Works Commissioners of such second class cities as now own a water-works system shall be paid such compensation as the General Council may fix, not exceeding twelve hundred ($1,200.00) dollars each per annum nor less than three hundred ($300.00) dollars each per annum.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Bradley Combs	S. J. Douthitt
E. S. Allison	Elmer Cook	C. B. Dowling
U. G. Anderson	Leonard Cook	W. C. Dugan
W. O. Baxter	W. W. Cooper	Thomas Dunn
S. A. Blackburn	Ben L. Cox	J. W. Edwards
D. C. Bradley	H. G. Crabtree	William A. Eimer
John Young Brown	G. Cunningham	Garland Embry
J. Watt Brown	William J. Curtis	J. O. Evans
John R. Buckman	J. J. Davis	Joseph B. Everhart
Dr. R. A. Byers	Winn Davis	Virgil Eversole
James A. Campbell	E. C. Dennington	Kelly J. Francis
Lee Clark	James R. Dorman	John B. Furlong

F. A. Gnau	Fred V. Lucas	J. D. Patton
L. B. Hamilton	B. K. Marshall, Jr.	James 1. Peters
H. G. Handmaker	Joseph Martin	John H. Pickett
Rev. B. L. Hargrove	James A. May	John W. Preston
Robt. L. Horn	Geo. R. McIntosh	W. E. Randall
C. E. Houk	Henry Meiman	Denny P. Smith
R. L. Jackson	Clarence Miller	D. O. Stanley
Grover C. Johnson	Russell O. Miller	Frank L. Strange
J. Roy Johnson	M. F. Moore	Elmer J. Terry
Theron M. Johnson	B. T. Morris	Thomas H. Troxel
J. R. Johnston	M. L. Napier	Speed H. Tye
M. F. Jordan	Andrew W. Nichols	Dr. Vallandingham
A. R. Kincheloe	H. L. Nickell	J. E. Walters
John B. Klefot	Fred A. Nolte	L. M. Weathers
Frank LeBus	Caleb A. Page	G. W. Wigginton
Martin Light	Curtis F. Park	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 293. An Act to repeal and re-enact Section 1938a-7, Kentucky Statutes, Carroll's Edition of 1922, being Section 7 of an act entitled "An Act for the protection of game birds and game animals; fixing open and closed seasons for the same; fixing the bag limit for birds and animals killed in open season; prohibiting the snaring of rabbits at any time, and providing penalty for the violation of this act," being Chapter 122 of the Acts of the General Assembly of 1920.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1938a-7, Kentucky Statutes, Carroll's Edition of 1922, being Section 7 of Chapter 122 of the Acts of the General Assembly of 1920, be repealed and re-enacted, so that said section when so re-enacted shall read as follows:

"Sec. 7. No person shall, in this state, at any time, buy, sell, barter, trade or offer or expose for sale barter or trade, or have in possession for the purpose of selling, bartering or trading any wild turkey, imported or native pheasant, Hungarian partridge, quail, bobwhite, or squirrel, no matter when or where caught or killed, whether caught or killed, in this state or in any other state, territory, country or place, except as provided for in section 13 of this Act."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John R. Buckman	William J. Curtis
E. S. Allison	James A. Campbell	Winn Davis
U. G. Anderson	Lee Clark	E. C. Dennington
William B. Ardery	Bradley Combs	James R. Dorman
W. O. Baxter	Elmer Cook	S. J. Douthitt
S. A. Blackburn	Leonard Cook	C. B. Dowling
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	J. O. Evans
John Young Brown	H. G. Crabtree	Joseph B. Everhart
J. Watt Brown	G. Cunningham	Kelly J. Francis

John B. Furlong	Martin Light	John W. Preston
Ralph Gilbert	H. R. Marquette	Dorsey Ratliff
F. A. Gnau	James A. May	D. O. Stanley
H. G. Handmaker	Harry J. Meyers	Frank L. Strange
J. F. Harrison	Russell O. Miller	Thomas H. Troxel
R. L. Jackson	B. T. Morris	C. B. Truesdell
Grover C. Johnson	F. Tyler Munford	H. Speed Tye
Theron M. Johnson	L. B. Murphy	Dr. Vallandingham
M. F. Jordan	H. L. Nickell	J. D. Via
A. R. Kincheloe	Curtis F. Park	L. M. Weathers
John B. Klefot	James I. Peters	G. W. Wigginton
Frank LeBus	John H. Pickett	Robert Williams

—66

Those who voted in the negative were—

J. J. Davis	Garland Embry	H. L. Taylor
W. C. Dugan	T. R. McRoberts	J. A. Thompson

—6

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Governor announcing that he returns to this House where it originated without his signature and approval a bill, entitled:

H. B. 20. An Act repealing Chapter 77, Acts of 1928, etc.

Together with his objections and veto to said bill and his reasons therefor.

(For title and bill see House Journal of February 4.)

The objections of the Governor and his reasons therefor are as follows, viz.:

VETO MESSAGE HOUSE BILL NO. 20.

House bill No. 20, which repeals the present school book adoption law, creates a new Textbook Commission and revolutionizes the whole textbook system of the State, is of far greater importance to the people of Kentucky than may at first appear. In my judgment this measure, if allowed to become law, would annually mulct—actually take from the people of Kentucky—approximately a million dollars over and above what they should pay for school books. For a generation or more the school book trust has controlled adoptions in our state for its own selfish benefit and has reaped a very rich harvest therefrom. This bill, I am informed on good authority was prepared by those in the employ of the book trust, for the benefit of the trust; fostered by the agents and employees of the book trust, and thus put through the house and Senate before the members fully realized the nature of the bill, learned its sponsors or understood its ultimate purpose.

I cannot approve this measure because,

(1) It destroys uniformity, that for which our really sincere educators have been working so long;

(2) Creates a monopoly in book sales;

(3) Prevents competition among publishers and bidders and thus greatly enhances the price of school books;

(4) Creates "cast" among educators and in schools;

(5) Opens the way for the adoption of worthless books at high prices;

(6) Places the adoption in the hands of the book trust;

(7) Invites the book trust to re-enter politics in Kentucky with all its corrupting influences;

(8) Puts the schools in politics;

(9) Makes possible a great number of school book commissions, a very dangerous and expensive system;

(10) Encourages many different adoptions;

(11) Places heavy burdens upon the parents and taxpayers and renders it impossible to have a uniform, regularly constituted, progressive system of schools throughout the State, working upon a common basis.

It is sometimes argued that the children of the cities should have different books from those of the County, indicating that the rural children are not as well prepared, or as able to advance as those who reside in towns and cities; with this I do not agree. With equal length of terms the children of the rural communities will generally surpass those in the cities. But, if there is to be an adoption in cities different from that in rural communities, would not one such adoption be sufficient instead of sixty-four (64) as we now have? Let us make a basic change, beginning at the beginning; reorganize by adopting a plan which will give a nine-months' term to all public schools of the State, uniform book adoptions for all schools, with the privilege of supplementary books for schools that may desire or require them. I am unwilling to discriminate against the boys and girls of the rural communities by adoption of books inferior to those used in the city. Let us have a regularly organized system of public schools throughout the State with trained teachers, such as we are now turning out from our University and four State Teachers Colleges, with uniform school terms, uniform system of teaching and uniform textbooks, regularly and systematically organized so that when a pupil moves from one community to another his work will not be interrupted or hindered, nor will he be required to suppy himself with new books.

It is urged that the school terms are longer in the city than in the country, and this makes the difference. This should be corrected and, the General Assembly alone can do this. Why not establish a nine-months' school term in all districts throughout the State? This immediately removes the objection above mentioned, and makes uniformity of

adoption as well as uniformity of school organization and of opportunity possible.

A great public service could be rendered the people of the State by the General Assembly if it would promptly appoint a Committee to investigate the school book trust and its activities in Kentucky, sift all the textbook adoptions in the past, list the paid agents, their salaries and commissions, the contracts, prices, profits, and learn just how the contracts were brought about and the graft taken. Of course such a Committee should be non-partisan, fair and unbiased, appointed for the single purpose of discovering the truth and making known the facts. Such a Committee if diligent and will act promptly, may complete its investigation at once. If the work is honestly and thoroughly done, some startling disclosures will be made. Through this method the General Assembly will learn that many of the persons who are posing as disinterested educators who so frequently meet members at the Capitol and elsewhere and talk so glibly about book adoptions and the advantages of the proposed system, are in truth and fact the paid agents and servants of the book trust, many of whom have been attending your sessions and buttonholing the members of the House and Senate at the Hotel at evenings, all, as they would have you believe, in the interest of a fair adoption, but really for the purpose of securing, through legislation, more business for the book trust. These are undercover men, masquerading in plain clothes, while they enjoy the results of a fat pay check from the book trust at regular intervals.

It is my information that all the litigation of the last several months which obstructed an adoption of books was carried on at the expense of the book trust; the lawyers were so employed and the litigation really conducted from the office of the trust. Although the suits were in the name of other persons, they were in fact lawsuits started by the book trust to compel the State Textbook Commission to turn over

to it the adoption and give it another chance to pilfer the pockets of parents. It now has and maintains regularly, so I am informed, a swarm of astute, slick representatives who cover the entire State of Kentucky and have gathered into their fold through one machination or another many so-called teachers, principals of schools, superintendents, whose judgment is warped and controlled by the book trust.

A vigorously conducted, fair, complete, thorough nonpartisan investigation of these activities will disclose facts that will astound the General Assembly and the people of Kentucky and will be the means of saving many hundreds of thousands of dollars in the purchase of books this year.

The people of Kentucky have been paying entirely too much for school books and at the same time have been furnished very unsatisfactory books, some of them old, obsolete and out-of-date, but the price was always high. That situation will continue if not become worse if this bill becomes law.

From experience, I have learned that uniform adoption for the State-at-large will enable us to buy books at much lower prices than if there are a great number of different adoptions. This is brought about through quantity production and sale. There are about 600,000 school children in Kentucky and if the same spelling book is adopted for use throughout the State, and 500,000 spelling books are required, they can be produced at much less price, per book, than if each city, town or county, makes a separate adoption, selecting different books of similar size and merit.

The people are opposed to this measure because it allows a hundred per cent change in books in the rural districts this year, which books will have to be purchased by the parents with money from their own pockets unless revenue is provided at this session for free textbooks under the Act of 1928.

Last April the State Textbook Commission made an adoption of books under the Free Textbook law covering all subjects, selecting the best books ever offered the children of the State, and the whole adoption for the entire elementary field

of eight grades would not have exceeded $750,000.00 to supply the needs of every child, and this would have been a saving of $2,250,000.00 over the last adoption for a similar number of books on the same subjects, although the books of the new adoption were better built, better material, better arranged subject matter complete. If the present bill should become law, we would have a great number of different adoptions and every worthless book would be offered by the book trust and many of them adopted as in the past. The Howard Textbook law is much better than this bill.

One Textbook Commission for the whole state will serve a better purpose than a great number of such commissions. Every inducement, blandishment and trick is employed by the bright, capable, experienced and thoroughly trained representatives of the book publishers to sway and beguile members of a textbook commission from their manifest course of duty, and sometimes, as I believe, before the members realize what has taken place they have been committed to a book or adoption which is not to the best interest of the State, and this has been true, in my opinion, of at least some members of every Textbook Commission which has served in Kentucky in recent years whether State, City or County. An examination of the list of books adopted by the various cities in Kentucky will show that the most worthless, antiquated and obsolete books have been forced on the children of those communities in some instances. Indeed, no book listed seems to have been so worthless or unsuitable as not to have been adopted by some of these Commissions, clearly proving that they either did not know a meritorious book, were negligent in their duty, or were taken over by the high-power salesmen of the book companies who appeared at their meetings. In this way many thousands of dollars have been taken from the pockets of the parents of Kentucky, and if this bill should become law it would enable the book trust to more easily manipulate this system in the future than in the past and would greatly increase its profits.

Being convinced that House Bill No. 20, another "ripper bill," is to the disadvantage of the schools, the teachers, the parents and pupils; that it destroys uniformity of adoptions, creates a great number of textbook commissions, makes easy fraudulent adoptions and frequent changes, enables the textbook trust through their capable salesmen to palm off worthless books upon unsuspecting Textbook Commissions and is generally disadvantageous to the educational system of Kentucky, I am compelled to veto it and I do so, returning it to the House where it originated for the reasons set out above.

FLEM D. SAMPSON, *Governor*
Commonwealth of Kentucky.

March 6, 1930.

Mr. Dorman of the Committee on Rules, moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding and it was decided in the affirmative.

The yeas and nays being taken thereon, in accordance with the provision of the Constitution, the objections and veto of the Governor to the contrary notwithsanding, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. A. Blackburn	J. Watt Brown
William B. Ardery	D. C. Bradley	John R. Buckman
W. O. Baxter	John Young Brown	James A. Campbell

Lee Clark	Ralph Gilbert	Harry J. Meyers
Elmer Cook	F. A. Gnau	M. F. Moore
Leonard Cook	L. B. Hamilton	B. T. Morris
W. W. Cooper	Rev. B. L. Hargrove	Tyler F. Munford
Ben L. Cox	J. F. Harrison	M. L. Napier
H. G. Crabtree	Robt. L. Horn	Andrew W. Nichols
G. Cunningham	C. E. Houk	H. L. Nickell
William J. Curtis	R. L. Jackson	James I. Peters
Winn Davis	Grover C. Johnson	Denny P. Smith
E. C. Dennington	Theron M. Johnson	D. O. Stanley
James R. Dorman	J. R. Johnston	Frank L. Strange
S. J. Douthitt	M. F. Jordan	Elmer J. Terry
C. B. Dowling	John B. Klefot	J. A. Thompson
Thomas Dunn	Frank LeBus	C. B. Truesdell
J. W. Edwards	Martin Light	Dr. Vallandingham
William A. Eimer	B. K. Marshall, Jr.	J. D. Via
J. O. Evans	James A. May	J. E. Walters
Kelly J. Francis	T. R. McRoberts	L. M. Weathers
John B. Furlong	Henry Meiman	G. W. Wigginton

—66

Those who voted in the negative were—

E. S. Allison	A. R. Kincheloe	John H. Pickett
U. G. Anderson	Fred V. Lucas	John W. Preston
T. L. Britton	H. R. Marquette	W. E. Randall
Dr. R. A. Byers	Joseph Martin	Dorsey Ratliff
Bradley Combs	Geo. R. McIntosh	Thomas H. Troxel
J. J. Davis	Russell O. Miller	Speed H. Tye
W. C. Dugan	Caleb A. Page	Robert Williams
Garland Embry	Curtis F. Park	
Virgil Eversole	J. D. Patton	

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Mr. Dorman moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 230. An Act prohibiting the buying, selling, bargaining, loaning, owning, having in possession, or transporting a machine gun, within this Commonwealth and fixing the penalty therefor.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That it shall be unlawful for any person other than a peace officer to buy, bargain, sell, loan, own, have in possession or transport a machine gun within this Commonwealth and any person convicted of any offense enumerated in this section, the person or persons shall be confined in the penitentiary not less than two years or more than five years.

Said Amendment as offered by the Committee is as follows, viz.:

Amend H. B. 230 by striking out the words "any offense enumerated in this Section" in the 9th line of same and inserting in lieu thereof "buying, selling, loaning owning or having in possession or transporting a machine gun within this Commonwealth"

Said Amendment was agreed to.

Mr. Combs offered the following Amendment to said bill, viz.:

Amend H. B. 230 by adding after the words "peace

officer'' in line 1 of the printed bill the following words ''member of the regular army, reserve corps or national guard''

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R. Dorman	A. R. Kincheloe
E. S. Allison	S. J. Douthitt	John B. Klefot
U. G. Anderson	C. B. Dowling	Frank LeBus
William B. Ardery	W. C. Dugan	Martin Light
W. O. Baxter	Thomas Dunn	Fred V. Lucas
D. C. Bradley	William A. Eimer	Joseph Martin
T. L. Britton	Garland Embry	James A. May
J. Watt Brown	J. O. Evans	Geo. R. McIntosh
John R. Buckman	Joseph B. Everhart	T. R. McRoberts
James A. Campbell	Virgil Eversole	Henry Meiman
Lee Clark	Kelly J. Francis	Harry J. Meyers
Bradley Combs	John B. Furlong	Russell O. Miller
Leonard Cook	L. B. Hamilton	M. F. Moore
W. W. Cooper	H. G. Handmaker	B. T. Morris
Ben L. Cox	Robt. L. Horn	L. B. Murphy
H. G. Crabtree	C. E. Houk	M. L. Napier
G. Cunningham	R. L. Jackson	Andrew W. Nichols
William J. Curtis	Grover C. Johnson	H. L. Nickell
J. J. Davis	J. R. Johnston	Fred A. Nolte
Winn Davis	M. F. Jordan	J. D. Patton

John H. Pickett	Thomas H. Troxel	L. M. Weathers
Dorsey Ratliff	H. Speed Tye	G. W. Wigginton
D. O. Stanley	J. E. Walters	—68

Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules, moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that H. B. 410 and H. B. 372 be recommitted to the Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 441. An Act relating to motor vehicles, providing for the repeal, amendment and re-enactment of Sections 2739g-37, 2739g-48 and 2739g-51 of Carroll's 1922 Edition, of Kentucky Statutes, and Baldwin's Kentucky 1928 Supplement.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739g, subsection 37 of Carroll's 1922 edition of Kentucky Statutes, be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

"Except where otherwise directed by traffic officer, the operator of a vehicle shall yield the right of way at the intersection of their paths to a vehicle approaching from the right unless such vehicle approaching from the right is further from the point of intersection of their paths than such first

named vehicle. Provided, that a vehicle being operated on any inter-county seat highway, designated state highway, or boulevard, or any street which may by ordinance be designated as being equal in importance to a boulevard, shall not be required to observe the foregoing regulations where any such highway intersects another highway of a lesser class. Any vehicle operated on the lessor class highway shall be required to stop before entering said inter-county seat highway or highway of a higher class."

That Section 2739g-48 shall be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

"The driver of any motor vehicle desiring to stop upon any highway for the purpose of receiving or discharging a passenger, shall drive said motor vehicle to the extreme right side of the main travelled portion of any public highway before stopping for said purpose, nor shall any person be permitted to stop any motor vehicle or leave same standing upon the main travelled portion of any public highway nor upon any intersection thereof except for the purpose of receiving or discharging a passenger. Provided, however, that this section shall not apply to a vehicle which may be disabled while on such main travelled portion of the highway in such a manner or to such an extent that it is impossible to avoid the occupancy of said main travelled portion or impractical to remove the same therefrom until repairs shall have been made or sufficient help obtained for its removal. No person shall be permitted to stop motor vehicle upon highways for any purposes provided in this section at any point within 100 feet from the brow of a hill or curve in the road which obstructs the view for a distance of less than 150 feet from the said crest, curve, or other obstructions."

That Section 2739g-51 be amended and re-enacted so that such section as amended and re-enacted shall read as follows:

"No operator of a vehicle upon a public highway shall

drive at a greater speed than is reasonable or proper, having regard for the traffic and the use of the highway, provided that

"(1) Where a highway passes through a closely built up business portion of any city or town, if the rate of speed of passing automobiles thereon exceeds fifteen miles per hour it shall be prima facie evidence of unreasonable and improper driving.

"(2) Where a highway passes through the residence portion of any city or town or around any sharp curve, or on a steep grade in or outside of such city or town, if the rate of speed of passing automobiles exceeds thereon twenty miles an hour it shall be prima facie evidence of unreasonable and improper driving.

"(3) Where a highway is outside of a closely built up business section of any city or town, and is on a straightaway, unobstructed highway, if the rate of speed of automobiles thereon exceeds forty miles an hour it shall be prima facie evidence of unreasonable and improper driving.

"(4) For trucks of the capacity of one ton or less, as rated by the manufacturer and equipped with rubber tires the provisions of paragraph (1), (2) and (3) shall govern, except the respective speeds in each instance shall be ten, fifteen and thirty miles an hour.

"(5) For trucks of a capacity of more than one ton but less than two and three quarter tons, as rated by the manufacturer, and equipped with rubber tires, the provisions of paragraph (1), (2) and (3) above shall govern except that the respective speeds shall be be seven, fourteen and twenty miles an hour in each instance.

"(6) For trucks of a capacity greater than two and three-quarter tons, as rated by the manufacturer and equipped with rubber tires, the provisions of paragraph (1), (2) and (3) above shall govern, except the respective speeds shall be seven, eleven and fifteen miles an hour in each instance.

"(7) For trucks equipped with iron or steel tires and

for trucks equipped with rubber tires but towing or trailing vehicles with iron or steel tires, the provisions of paragraphs (1), (2) and (3) above shall govern, except the respective speeds be six, eight and ten miles an hour in each instance.

"(8) Trucks with capacities as set out in paragraphs (4) and (5) pulling trailers of such capacity that the combined capacity would be equaled to the capacities set out in paragraph (5) or (6) respectively shall be governed by the provisions of said paragraph (5) and (6).

"(9) Nothing in the paragraphs above shall apply to vehicles owned and operated by the fire, police or hospital department of any municipality.

"(10) The speed of motor vehicles operating under certificates of convenience and necessity issued by the Commissioner of Motor Transportation as provided by Chapter 112 of the Acts of 1926, shall be regulated by paragraphs 1, 2 and 3 of this section, and shall not be classified as trucks on the regulation of speed."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John Young Brown	Bradley Combs
E. S. Allison	J. Watt Brown	W. W. Cooper
U. G. Anderson	John R. Buckman	Ben L. Cox
W. O. Baxter	Dr. R. A. Byers	G. Cunningham
S. A. Blackburn	James A. Campbell	William J. Curtis
D. C. Bradley	Lee Clark	J. J. Davis

Winn Davis	Robt. L. Horn	B. T. Morris
James R. Dorman	C. E. Houk	L. B. Murphy
S. J. Douthitt	R. L. Jackson	H. L. Nickell
Thomas Dunn	Grover C. Johnson	Fred A. Nolte
William A. Eimer	Theron M. Johnson	John H. Pickett
Garland Embry	M. F. Jordan	Denny P. Smith
J. O. Evans	A. R. Kincheloe	D. O. Stanley
Kelly J. Francis	Martin Light	Elmer J. Terry
John B. Furlong	Joseph Martin	J. A. Thompson
F. A. Gnau	James A. May	Thomas H. Troxel
L. B. Hamilton	Geo. R. McIntosh	J. D. Via
H. G. Handmaker	Harry J. Meyers	G. W. Wigginton
Rev. B. L. Hargrove	M. F. Moore	Robert Williams

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Those who voted in the negative were—

Fred V. Lucas T. R. McRoberts —2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 271. An Act authorizing any school subdistrict formed by combination of a graded common school district with a county school district under provision of Chapter 56 of the Acts of the General Assembly of 1928, or any city school district with which a county school district combined under provision of the same Act, to have extended term of school, extended courses of instruction, or other desired school advantages, authorizing the levy and collection of local school taxes for such purposes, prescribing procedure in levy and

collection of taxes in such combined districts, and prescribing term and duties of superintendent employed jointly by boards of education of county and city districts or of county and graded common school districts in any county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When a graded common school district combines with a county school district under provision of Chapter 56 of the Acts of the General Assembly of 1928, such graded common school district shall then become a subdistrict of the county school system of such county, and subdistrict school tax may be levied and collected annually therein at a rate not to exceed the rate of school subdistrict taxation authorized by Chapter 82 of the Acts of the General Assembly of 1926, and not to exceed such rate as may be agreed upon by the county board of education and the board of trustees of the graded common school district in concurrent action combining the two districts. The subdistrict school tax herein authorized shall be levied, collected and used in the same manner as subdistrict taxes voted under provision of Chapter 82 of the Acts of the General Assembly of 1926. The boundaries of such subdistricts may be changed or extended in the same manner as in the case of other subdistricts.

§ 2. When a city school district embracing a city of the first, second, third or fourth class, and a county school district combine by concurrent action of their respective boards of education under provision of Chapter 56 of the Acts of the General Assembly of 1928, the levy and collection of school taxes shall be made according to procedure prescribed in section 3587a-19, Kentucky Statutes, for districs embracing cities of the fourth class; and an additional levy may be made and collected annually thereafter in the same manner within the

boundary of such city district, but the total rate collected therein shall not in any case exceed the rate of school levy authorized by law for school district embracing city of such class, nor shall the additional local levy exceed such rate as may be agreed upon by the county board of education and the city board of education in concurrent action combining the two districts, and shall be expended for the use and benefit of the public school or schools attended by the children residing within such boundary. The boundary affected by such local levy may be extended by the board of education in accordance with petition of a majority of the legal voters in the boundary proposed to be added.

§ 3. When a city board of education in any county and the county board of education in such county employ the same superintendent, as they may do by agreement, such superintendent shall be employed for term not exceeding four school-years, and shall devote his entire time to the service of the schools of such county, correlating the administration of the rural and city schools as directed by the boards of education in such city and county. When the board of trustees of a graded common school district in any county and the county board of education of such county employ the same superintendent, as they may do by agreement, such superintendent shall be employed for term not exceeding four school-years, and shall devote his entire time to the service of the schools of such county, including those of the graded common school district, and his powers and duties in such graded common school district shall be the same as those prescribed by law for superintendents of schools in districts embracing cities of the fourth class.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	James A. May
E. S. Allison	W. C. Dugan	Geo. R. McIntosh
W. O. Baxter	Thomas Dunn	Henry Meiman
S. A. Blackburn	William A. Eimer	Harry J. Meyers
D. C. Bradley	Garland Embry	M. F. Moore
John Young Brown	Joseph B. Everhart	B. T. Morris
J. Watt Brown	Kelly J. Francis	M. L. Napier
James A. Campbell	John B. Furlong	H. L. Nickell
Lee Clark	F. A. Gnau	Fred A. Nolte
Bradley Combs	L. B. Hamilton	Curtis F. Park
Leonard Cook	Rev. B. L. Hargrove	John H. Pickett
W. W. Cooper	Robt. L. Horn	Dorsey Ratliff
Ben L. Cox	C. E. Houk	Thomas H. Troxel
H. G. Crabtree	R. L. Jackson	J. E. Walters
G. Cunningham	M. F. Jordan	L. M. Weathers
William J. Curtis	A. R. Kincheloe	G. W. Wigginton
Winn Davis	John B. Klefot	Robert Williams
James R. Dorman	Martin Light	—53

Those who voted in the negative were—

Fred V. Lucas	T. R. McRoberts	J. A. Thompson
Joseph Martin	James I. Peters	—5

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 562. An Act to amend Paragraph 11, Section 1938-A, Chapter 57, Kentucky Statutes, Carroll's Edition, 1930, relating to bag limit on quail or bobwhite by adding thereto the language hereinafter set out.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Paragraph 11, Section 1938-A, Chapter 57, Kentucky Statutes, Carroll's Edition 1930, relating to bag limit on quail or bobwhite, be amended by adding thereto at the end of the section as it now stands, the following language:

"Except that it shall be unlawful for any person to kill, catch, injure, pursue, or have in possession after same have been caught or killed, whether caught or killed in this State or elsewhere, a total exceeding seventy-five (75) quail or bobwhite, in any one year".

So that, when said Paragraph 11 and Section is amended and re-enacted, will read as follows:

"Section 1938-A. Quail or Bobwhite; Bag Limit.—No person shall shoot, kill, or have in possession, more than twelve (12) quail or bobwhite in any one day, between the 15th day of November of any year and the 1st day of January of the succeeding year, both dates inclusive; provided, however, that any person having hunted two days in succession may have in possession a total of not to exceed twenty-four (24) quail or bobwhite killed by himself during such hunt, and any person having hunted more than two days in succession may have in possession a total of not to exceed twelve (12) quail or bobwhite killed by himself for each day during

such hunt; except that it shall be unlawful for any person to kill, catch, injure or pursue, or have in possession after same have been caught or killed, whether caught or killed in this State or elsewhere, a total exceeding seventy-five (75) quail or bobwhite, in any one year."

§ 2. All acts or sections, or parts of acts or sections, which are in conflict herewith, are hereby repealed to the extent of such conflict.

§ 3. This Act shall take effect and be in force from and after its passage and publication according to law.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Ben L. Cox	J. F. Harrison
E. S. Allison	H. G. Crabtree	C. E. Houk
U. G. Anderson	G. Cunningham	R. L. Jackson
William B. Ardery	Winn Davis	Grover C. Johnson
W. O. Baxter	James R. Dorman	A. R. Kincheloe
S. A. Blackburn	S. J. Douthitt	John B. Klefot
D. C. Bradley	C. B. Dowling	H. R. Marquette
John Young Brown	Thomas Dunn	James A. May
Dr. R. A. Byers	William A. Eimer	Geo. R. McIntosh
James A. Campbell	J. O. Evans	Henry Meiman
Lee Clark	Joseph B. Everhart	Harry J. Meyers
Bradley Combs	Kelly J. Francis	Russell O. Miller
Elmer Cook	John B. Furlong	M. F. Moore
Leonard Cook	L. B. Hamilton	B. T. Morris
W. W. Cooper	Rev. B. L. Hargrove	M. L. Napier

H. L. Nickell	D. O. Stanley	J. E. Walters
Fred A. Nolte	Elmer J. Terry	L. M. Weathers
James I. Peters	Thomas H. Troxel	G. W. Wiggington
John H. Pickett	H. Speed Tye	Robert Williams
Denny P. Smith	Dr. Vallandingham	—59

There voted in the negative—

T. R. McRoberts —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 448. An Act requiring all owners of motor vehicles operating for hire for the transportation of persons over any of the highways or streets of any of the municipalities of this Commonwealth to secure personal liability and property damage insurance or bond to indemnify passengers or other persons in an amount of not less than Five Thousand Dollars ($5,000) on each motor vehicle operated, and not less than One Thousand Dollars ($1,000) on any property destroyed or damaged by the negligence of the owner or operator of such motor vehicle, before they shall be permitted to operate such motor vehicles for hire as a means of public conveyance where said motor vehicles do not operate between a fixed termini. Providing for the filing of an insurance policy or certified copy of same, or bond, with the Commissioner of Motor Transportation before any such vehicle is permitted to operate. Providing for a penalty for the failure to comply

with this act and also exempting certain companies and vehicles from the provisions of this act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the term "corporation, person or firm," when used in this act, means any corporation, receiver, company, association, assignee, trustee, joint stock company, individual or co-partnership. The term "commissioner" when used in this act, means the Commissioner of Motor Transportation. The term "public highway," when used in this act, means every state road or highway in this state, within or without the corporate limits of any municipality or municipalities.

§ 2. No corporation, person or firm shall hereafter engage in the transportation of persons for hire by motor vehicle on any public highway or street of any municipality in this state without having paid to the Commissioner of Motor Transportation the fees provided in subsection 27 of Chapter 112 of the Acts of 1926. Before said commissioner shall issue the license plate referred to in the above act, the applicant shall be required to file with said commissioner the name of the owner of the corporation, person or firm which intends to operate said motor vehicle or vehicles, the name of the chief officer of the corporation, the members composing the partnership, or the person owning said vehicles and to file with the commissioner a list of all drivers employed. That if any changes are made in the drivers or any additional drivers are employed, the person, firm or corporation shall furnish a list of said drivers to the said commissioner. Provided, however, that no person shall be considered as a regular driver unless he is hired for a period of at least thirty days.

§ 3. Before any license is granted, the applicant shall furnish security by filing with the Commissioner of Motor Transportation, good and sufficient bond with adequate surety

payable to the Commonwealth of Kentucky, which shall bind the obligor therein to pay any final judgment rendered against any such motor carrier arising out of the death or injury to any passenger or passengers, or loss or damage to property while in transit, or injury to other persons or property, or any act or omission connected with the operation of such motor carrier, which bond shall be in the penal sum of Five Thousand Dollars ($5,000), for each motor vehicle operated, for the death or injury to any passenger or passengers or other persons, and the sum of One Thousand Dollars ($1,000) for each vehicle on any property injured in connection with the operation of said motor vehicle. Instead of such bonds as a part of the security required, the commissioner may accept a policy of insurance in any company authorized to do business in the State of Kentucky by the Insurance Commissioner, or he may provide any other contract in writing deemed by said commissioner adequate by which any surety company or individual shall assume the liability prescribed by this section. The commissioner may exempt in whole or in part, from the requirements of this paragraph, any motor carrier upon application for such exemption and upon showing to the commissioner to his satisfaction that by reason of the financial ability of the motor carrier or otherwise, there exists due insurance for the payment of any and all damages for which it, they, he or she be liable as a result of the negligent operation of the proposed service to the extent of the insurance or bond herein required. The exemption herein provided shall be made only by written order of the commissioner. The commissioner may from time to time require statements of financial ability of such motor carrier, and may, upon ten days' notice in writing, for cause, revoke his order granting such exemption, in which case said motor carrier shall immediately comply with the requirements of this section.

§ 4. The provisions of this act shall in no way affect or apply to motor vehicles operating under a certificate of public necessity or convenience between fixed termini or any motor

vehicle or any person, firm or corporation operating motor vehicles under any franchise granted by any municipality in this Commonwealth, nor to motor vehicles owned by any person, firm or corporation who rent or lease such motor vehicles or motor vehicles owned by any person, firm or corporation who do not furnish drivers or chauffeurs therefor, or motor vehicles owned or in possession of any person, firm or corporation who rent or lease said motor vehicles for hire but do not furnish drivers or chauffeurs therefor.

§ 5. Any person, firm or corporation executing the bond or providing the insurance policy provided in this act, shall be exempt from the provisions of any municipal ordinance which may now or hereafter require a bond or insurance upon motor vehicles operated for hire within any municipality.

§ 6. Any person, firm or corporation who fails to comply with the provisions of this act or violates any of its provisions, shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than Fifty Dollars ($50.00) nor more than One Hundred Dollars ($100.00) for the first offense, and for the second conviction shall be subject to a fine of not less than One Hundred Dollars ($100.-00) nor more than Two Hundred Dollars ($200.00).

§ 7. This act shall take effect on and after December 1, 1930.

§ 8. The provisions of this act are separable and if any of the provisions or the penalties provided here shall be held unconstitutional, the decisions of the court shall not affect or impair any of the remaining portions of this act. All acts or parts of acts in conflict herewith are to the extent of such conflict hereby repealed

Mr. Via offered the following Amendment to said bill, viz.:

Amend H. B. 448, Section 3, page 3, line 13 by striking therefrom after the word "vehicle" and the period following same the following: "Instead of such bond as a part of the

security required, the Commissioner may accept a policy of insurance in any company authorized to do business in the State of Kentucky" and insert in lieu thereof the following: "Instead of such bond, the Commissioner shall accept a policy of insurance in any insurance carrier authorized by do business in this Commonwealth; provided however that under the terms of said policy the owner of such vehicle shall be insured against damages for personal injuries or death resulting therefrom, in the sum of at least five-thousand dollars ($5,000.00) and property damage in the sum of one thousand dollars ($1,000.00).

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to be the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Bradley Combs	C. B. Dowling
U. G. Anderson	Leonard Cook	Thomas Dunn
W. O. Baxter	W. W. Cooper	William A. Eimer
S. A. Blackburn	Ben L. Cox	Garland Embry
D. C. Bradley	H. G. Crabtree	Joseph B. Everhart
John Young Brown	G. Cunningham	Kelly J. Francis
J. Watt Brown	J. J. Davis	John B. Furlong
John R. Buckman	Winn Davis	Ralph Gilbert
Dr. R. A. Byers	James R. Dorman	F. A. Gnau
James A. Campbell	S. J. Douthitt	L. B. Hamilton

R. L. Jackson	Henry Meiman	Denny P. Smith
Grover C. Johnson	Harry J. Meyers	Frank L. Strange
J. R. Johnston	Russell O. Miller	H. L. Taylor
John B. Klefot	B. T. Morris	J. A. Thompson
Martin Light	Andrew W. Nichols	Thomas H. Troxel
H. R. Marquette	Fred A. Nolte	J. D. Via
B. K. Marshall, Jr.	Caleb A. Page	J. E. Walters
Joseph Martin	Curtis F. Park	Robert Williams
Geo. R. McIntosh	John H. Pickett	—56

Those who voted in the negative were—

W. C. Dugan	Rev. B. L. Hargrove	D. O. Stanley
H. G. Handmaker	T. R. McRoberts	Speed H. Tye

—6

Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules, moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 400. An Act relating to certain funds for District or County Sanatoria, or Sanatorium, as levied by Fiscal Courts, repealing or amending Chapter 65, Section 4, Paragraph 3, relating to the method of establishing said District or County Sanatoria, or Sanatorium, by, through and in conjunction with the State Board of Health of the State of Kentucky, to authorize the diversion of certain funds raised through taxation for the support of said Sanatoria, or Sanatorium. Said amendment, or repeal, to apply to Counties in the State of Kentucky which have, according to the United

States census of 1920, not less than 35,783 population, nor more than 35,983 population.

With a Committee Amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Whereas, certain Fiscal Courts have levied and collected a tax on the taxable property of their counties under the provisions of the Public Acts of March, 1908, regulating the study and treatment of tuberculosis, through, with and by Counties and the State Health Department, and under an amended act, known as Chapter 65, Section 4, of the Acts of the General Assembly of the Commonwealth of Kentucky, as approved March 27, 1918, and

Whereas, certain counties have been unable to establish, according to the provision of the Acts herein referred to, a Sanatoria, or Sanatorium, to treat tuberculosis, and

Whereas, certain funds collected for such specific purpose, as outlined herein, cannot, under the Constitution of the State of Kentucky, be diverted from the purposes for which the money was collected, without an act of the Legislature to authorize said diversion; therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2061 of the Statutes of Kentucky, Carroll's 1915 Edition, relating to State Board of Health, be amended as follows:

1. That in Counties of not less than 35,783 population, nor more than 35,983 population, as shown by the United States census of 1920, which have levied a tax and collected funds from said levy for the purpose of studying, treating and preventing tuberculosis, through the establishment of a County Sanatoria, or Sanatorium, or otherwise, but where said County is not financially able, or inclined to erect said

Sanatoria, or Sanatorium, the Fiscal Court of said County is hereby authorized and directed to divert any and all funds collected under the provisions of the Acts of 1908 and 1918 for purposes herein described, to the support and maintenance of a Public Health Unit for said county, said Health Unit to be organized, constituted and instituted as provided in the Public Health Laws of the State of Kentucky.

Be it further enacted that this act take effect immediately after its passage, the public welfare demanding it.

Said Substitute is as follows, viz.:

An Act relating to certain funds for District or County Sanatoria as levied by Fiscal Courts, amending Chapter 65, Section 4, Paragraph 3, relating to the method of establishing said District or County Sanatoria, by, through and in conjunction with the State Board of Health of the State of Kentucky, to authorize the diversion of certain funds raised through taxation for the support of said Sanatoria. This amendment to apply to counties in the State of Kentucky which have, according to the United States census of 1920, not less than 35,000 population, nor more than 40,000 population.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2061 of the Statutes of Kentucky, Carroll's 1915 Edition, relating to State Board of Health, be amended as follows:

1. That in counties not less than 35,000 population, nor more than 40,000 population, as shown by the United States census of 1920, which have levied a tax and collected funds from said levy for the purpose of studying, treating and preventing tuberculosis through the establishment of a County Sanatoria, or otherwise, but where said county is not financially able, or inclined to erect said sanatoria the Fiscal Court of said county is hereby authorized and directed to

divert any and all funds collected under the provisions of the Acts of 1908 and 1918 for purposes herein described to the support and maintenance of a Public Health Unit for said county, said Health Unit to be organized, constituted and instituted as provided in the Public Health Laws of the State of Kentucky.

Be it further enacted that this act take effect immediately after its passage, the public welfare demanding it.

Said Substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Bradley Combs	Joseph B. Everhart
E. S. Allison	Leonard Cook	Virgil Eversole
U. G. Anderson	W. W. Cooper	Kelly J. Francis
William B. Ardery	Ben L. Cox	John B. Furlong
W. O. Baxter	G. Cunningham	Ralph Gilbert
S. A. Blackburn	Winn Davis	F. A. Gnau
D. C. Bradley	James R. Dorman	L. B. Hamilton
T. L. Britton	S. J. Douthitt	Rev. B. L. Hargrove
John Young Brown	C. B. Dowling	C. E. Houk
J. Watt Brown	W. C. Dugan	R. L. Jackson
John R. Buckman	Thomas Dunn	Grover C. Johnson
Dr. R. A. Byers	William A. Eimer	Theron M. Johnson
James A. Campbell	Garland Embry	M. F. Jordan
Lee Clark	J. O. Evans	John B. Klefot

Martin Light	L. B. Murphy	D. O. Stanley
H. R. Marquette	Andrew W. Nichols	Frank L. Strange
B. K. Marshall, Jr.	H. L. Nickell	Elmer J. Terry
Joseph Martin	Curtis F. Park	Thomas H. Troxel
James A. May	James I. Peters	H. Speed Tye
T. R. McRoberts	John H. Pickett	Dr. Vallandingham
Henry Meiman	W. E. Randall	J. D. Via
M. F. Moore	Dorsey Ratliff	G. W. Wigginton
B. T. Morris	Denny P. Smith	—68

Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules, moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 528. An Act to appropriate Four Thousand ($4,000.00) Dollars annually to the State Board of Agriculture for the purpose of meeting premium expense of said Board in promoting livestock contests for boys' and girls' club work among the dairy breeds of cattle in this Commonwealth, designating certain locations at which contests shall be held, the method of conducting such contests and for making reports to the Commissioner of Agriculture and to the Auditor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the following sum, not to exceed Four Thous-

and ($4,000.00) Dollars, is hereby appropriated annually out of any money in the State Treasury not otherwise appropriated to the State Board of Agriculture to be used in the payment of such premiums as may be offered by said board in holding annual exhibits for dairy cattle among the boys and girls at Madisonville, Hopkinsville, Bowling Green, Mayfield, Lexington, Eminence, and the Kentucky State Fair at Louisville, Kentucky, at such times as the State Board of Agriculture and the County Agricultural Agents of Counties in show districts shall decide upon holding said exhibits, to-wit:

Six hundred ($600.00) dollars Lexington, Ky.

Six hundred ($600.00) dollars at Eminence, Ky.

Six hundred ($600.00) dollars at Bowling Green, Ky.

Six hundred ($600.00) dollars at Mayfield, Ky.

The show at Madisonville and Hopkinsville district is to be alternated between these two points due to the interest shown at these places, six hundred ($600.00) dollars to be appropriated at Hopkinsville, the first year, and six hundred ($600.00) dollars at Madisonville the second year this act is in effect.

One thousand ($1,000.00) dollars is to be appropriated at the Kentucky State Fair at Louisville, Ky., to be used to supplement premiums in dairy calf club classes as may be offered by the Kentucky State Fair. Said appropriations to be used for the purpose of promoting live stock contests in boys' and girls' club work among the dairy breeds of cattle in this Commonwealth.

The Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer of Kentucky for the sum designated to each show, payable to the Commissioner of Agriculture, Chairman of the State Board of Agriculture, who is to endorse said warrant to the treasurer of each designated show upon the request of said treasurer. Any part of said sum unexpended during any year by the treasurer of

any designated show, shall be refunded to the Commissioner of Agriculture, who shall refund said sum to the Treasurer of Kentucky.

It shall be the duty of the treasurer of each designated show to file a written report with the Commissioner of Agriculture showing how said premiums have been expended, and to whom same were paid, accompanied by vouchers showing each item, and the Commissioner of Agriculture shall file a report with the auditor showing the amount expended by each designated show and to whom paid.

§ 2. All acts, or parts of act or laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Leonard Cook	William A. Eimer
E. S. Allison	W. W. Cooper	J. O. Evans
W. O. Baxter	Ben L. Cox	Joseph B. Everhart
S. A. Blackburn	H. G. Crabtree	Kelly J. Francis
D. C. Bradley	G. Cunningham	John B. Furlong
T. L. Britton	William J. Curtis	F. A. Gnau
John Young Brown	Winn Davis	H. G. Handmaker
John R. Buckman	E. C. Dennington	Rev. B. L. Hargrove
Dr. R. A. Byers	James R. Dorman	J. F. Harrison
James A. Campbell	S. J. Douthitt	Robt. L. Horn
Lee Clark	C. B. Dowling	C. E. Houk
Bradley Combs	W. C. Dugan	R. L. Jackson
Elmer Cook	Thomas Dunn	Grover C. Johnson

Theron M. Johnson	M. F. Moore	D. O. Stanley
J. R. Johnston	B. T. Morris	Frank L. Strange
M. F. Jordan	F. Tyler Munford	H. L. Taylor
John B. Klefot	L. B. Murphy	Elmer J. Terry
Frank LeBus	M. L. Napier	J. A. Thompson
Martin Light	Andrew W. Nichols	Thomas H. Troxel
B. K. Marshall, Jr.	H. L. Nickell	C. B. Truesdell
Joseph Martin	Fred A. Nolte	Speed H. Tye
James A. May	Curtis F. Park	Dr. Vallandingham
Geo. R. McIntosh	John H. Pickett	J. E. Walters
Henry Meiman	W. E. Randall	L. M. Weathers
Harry J. Meyers	Dorsey Ratliff	G. W. Wigginton
Russell O. Miller	Denny P. Smith	—77

Those who voted in the negative were—

T. R. McRoberts J. D. Via —2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 349. An Act to appropriate $530.86 for the use and benefit of the office of State Treasurer to pay the deficiency in the budget for the fiscal year ending June 30, 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there existed on June 30, 1928, a deficit in the budget for the use and benefit of the Treasurer for the fiscal year ending June 30, 1928, in the sum of $530.86; that on account of said deficit all the salaries of the Treasurer and help in the office were not paid to them.

In order to pay the Treasurer and her help the balance on the salaries due them, which amounts to $530.86, an appropriation is hereby made to the Treasurer in the sum of $530.86 for the purposes specified herein.

§ 2. Owing to the fact that the Treasurer and her help have not been paid the balance on their salaries due June 30, 1928, an emergency is declared to exist, and this Act shall become effective upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Leonard Cook	Garland Embry
William B. Ardery	W. W. Cooper	J. O. Evans
W. O. Baxter	Ben L. Cox	Joseph B. Everhart
S. A. Blackburn	H. G. Crabtree	Kelly J. Francis
D. C. Bradley	Winn Davis	John B. Furlong
T. L. Britton	James R. Dorman	Ralph Gilbert
John Young Brown	S. J. Douthitt	F. A. Gnau
John R. Buckman	C. B. Dowling	L. B. Hamilton
James A. Campbell	W. C. Dugan	H. G. Handmaker
Bradley Combs	Thomas Dunn	Rev. B. L. Hargrove
Elmer Cook	William A. Eimer	Robt. L. Horn

C. E. Houk	Geo. R. McIntosh	D. O. Stanley
R. L. Jackson	T. R. McRoberts	Frank L. Strange
Grover C. Johnson	Henry Meiman	Elmer J. Terry
Theron M. Johnson	Harry J. Meyers	J. A. Thompson
J. R. Johnston	M. F. Moore	Thomas H. Troxel
M. F. Jordan	B. T. Morris	Dr. Vallandingham
A. R. Kincheloe	L. B. Murphy	J. D. Via
John B. Klefot	H. L. Nickell	J. E. Walters
Frank LeBus	Curtis F. Park	G. W. Wigginton
Martin Light	John H. Pickett	Robert Williams
H. R. Marquette	Dorsey Ratliff	
James A. May	Denny P. Smith	—67

There voted in the negative—

James I. Peters —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 227. An Act appropriating bonds for the erection of a Memorial at Brandenburg, in Meade County, commemorating the Civil War campaigns of General John Hunt Morgan, Confederate, and General Edward H. Hobson, Federalist.

Said bill is as follows, viz.:

Whereas, Confederate soldiers invaded the North at two points only in the Civil War; first, the Army of Virginia under

General Robert E. Lee and second, brigade of Kentucky troops commanded by General John Hunt Morgan from Brandenburg, Kentucky, crossing the Ohio River at Marvin's Landing, Indiana; and

Whereas, General Morgan's route of march through Indiana and Ohio has been appropriately marked by the states of Indiana and Ohio; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated out of the treasury of the Commonwealth of Kentucky the sum of Twenty Thousand Dollars ($20,000.00), to be used for the purpose of erecting a suitable memorial commemorating the campaign of the Confederate General John Hunt Morgan and his pursuit by the Federal General Edward H. Hobson on the occasion of General John Hunt Morgan's invasion of the North from Kentucky at Brandenburg in Meade County, Kentucky, and that whenever it shall appear to the Governor of Kentucky that a deed conveying in fee simple the title to the necessary lands upon which to erect said memorial at Brandenburg, Meade County, Kentucky, from its present owners to the State of Kentucky, there shall be paid to the Meade County Historical Society, an organization created for the purpose of preserving the memory of the historical events occurring in Meade County, Kentucky, the amount, hereinbefore appropriated.

That the said Meade County Historical Society is hereby empowered to have designed, located and constructed said memorial, but shall furnish to the Auditor of Public Accounts a statement of the expenditure from this appropriation.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, vz.:

Those who voted in the affirmative were—

F. B. Adcock	Kelly J. Francis	B. T. Morris
U. G. Anderson	John B. Furlong	L. B. Murphy
William B. Ardery	Ralph Gilbert	M. L. Napier
W. O. Baxter	F. A. Gnau	Andrew W. Nichols
S. A. Blackburn	L. B. Hamilton	H. L. Nickell
D. C. Bradley	H. G. Handmaker	Fred A. Nolte
John Young Brown	Rev. B. L. Hargrove	James I. Peters
John R. Buckman	C. E. Houk	John H. Pickett
James A. Campbell	Grover C. Johnson	W. E. Randall
Leonard Cook	Theron M. Johnson	Denny P. Smith
W. W. Cooper	J. R. Johnston	Frank L. Strange
Ben L. Cox	M. F. Jordan	H. L. Taylor
H. G. Crabtree	John B. Klefot	Elmer J. Terry
G. Cunningham	H. R. Marquette	J. A. Thompson
S. J. Douthitt	B. K. Marshall, Jr.	Thomas H. Troxel
C. B. Dowling	Joseph Martin	Speed H. Tye
W. C. Dugan	James A. May	Dr. Vallandingham
Thomas Dunn	Henry Meiman	J. E. Walters
William A. Eimer	Harry J. Meyers	G. W. Wigginton
J. O. Evans	Russell O. Miller	
Joseph B. Everhart	M. F. Moore	—61

Those who voted in the negative were—

J. Watt Brown	R. L. Jackson	D. O. Stanley
Dr. R. A. Byers	Martin Light	J. D. Via
James R. Dorman	Geo. R. McIntosh	Robert Williams
Garland Embry	T. R. McRoberts	—11

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules, moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, MARCH 7, 1930.

The House was opened with prayer by the Reverend Ernest N. Curry of the Baptist Church of Lawrenceburg, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock	G. Cunningham	L. B. Hamilton
E. S. Allison	William J. Curtis	H. G. Handmaker
U. G. Anderson	J. J. Davis	Rev. B. L. Hargrove
W. O. Baxter	Winn Davis	J. F. Harrison
S. A. Blackburn	E. C. Dennington	Robt. L. Horn
D. C. Bradley	James R. Dorman	C. E. Houk
T. L. Britton	S. J. Douthitt	R. L. Jackson
John Young Brown	C. B. Dowling	Grover C. Johnson
J. Watt Brown	W. C. Dugan	Theron M. Johnson
John R. Buckman	J. W. Edwards	J. R. Johnston
Dr. R. A. Byers	William A. Eimer	M. F. Jordan
James A. Campbell	Garland Embry	A. R. Kincheloe
Lee Clark	J. O. Evans	John B. Klefot
Bradley Combs	Joseph B. Everhart	Frank LeBus
Elmer Cook	Virgil Eversole	Martin Light
Leonard Cook	Kelly J. Francis	Fred V. Lucas
W. W. Cooper	John B. Furlong	H. R. Marquette
Ben L. Cox	Ralph Gilbert	B. K. Marshall, Jr.
H. G. Crabtree	F. A. Gnau	Joseph Martin

James A. May
Geo. R. McIntosh
T. R. McRoberts
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
F. Tyler Munford
L. B. Murphy
Andrew W. Nichols
H. L. Nickell
Fred A. Nolte
Caleb A. Page
Curtis F. Park
J. D. Patton
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
D. O. Stanley
Frank L. Strange
H. L. Taylor
Elmer J. Terry
J. A. Thompson
Thomas H. Troxel
C. B. Truesdell
Speed H. Tye
Dr. Vallandingham
J. D. Via
J. E. Walters
L. M. Weathers
G. W. Wiggington
Robert Williams

Mr. Dorman of the Committee on Rules, moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules, moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules, moved that when the hour of twelve o'clock Meridian arrives today, that the House do then recess until one-thirty o'clock p. m.

Said motion was agreed to.

The Chief Clerk produced and read the following report which was made by a Joint Committee heretofore appointed to investigate the need of more physicians in the rural districts of the State, viz.:

REPORT OF THE JOINT COMMITTEE TO STUDY THE NEED OF MORE PHYSICIANS IN THE RURAL DISTRICTS TO THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES

The Joint Committee of the General Assembly to investigate the supplying of physicians for the rural districts of the State found their task greatly simplified because this matter has been under investigation and study of the Council of the Kentucky State Medical Association since 1912. This organization has been recognized by the Statutes of Kentucky as the guardian of public health and medical science and it has gratified the committee to find that they have not only recognized the need of more physicians in the rural sections of the State but have suggested practical means for their education, training and distribution.

The committee desires to dismiss immediately all suggestions that untrained, undereducated physicians should be supplied in the country districts of the State. Kentucky is distinctly an agricultural State. Its prosperity is based upon the prosperity of its farming and mining sections, and the people in these sections are entitled to well-trained, thoroughly scientific medica service. The medical profession points with pride to the achievements of country doctors in Kentucky. Ephriam McDowell performed the first surgical operation for ovariotomy when Danville was a village of three hundred and fifty people. Brashear did the first amputation at the hip joint at Bardstown; although then the metropolis of the west, it contained less than eight hundred inhabitants. Samuel Brown vaccinated the first large group of people in the world between Lexington and Covington one hundred and twenty-five years ago, thus demonstrating to the world the benefits of vaccination. Since that time country doctors have been the bone and sinew of medical progress in Kentucky and have furnished a leadership to the nation. It should also be remembered that when the State Board of Health was created in 1878 there were approximately five thousand practitioners in the country. Roads were so bad in the country and streets

so ill-kept in the city that these men spent more than two-thirds of their time between patients and the vast majority of them were only able to support themselves by farming or mercantile pursuits in conjunction with their practice. More than half of them had not attended any medical school at all, or only for a few weeks or months, and it soon became evident that the profession must be freed of this wholly undersirable element if it should continue to merit public confidence. This General Assembly in 1888 passed the first effective medical practice act, although an abortive act had previously been passed in 1863 attempting to reform medical education. The present generation in Kentucky must look to other states to learn anything of the conditions that were found at this time by those responsible for medical advancement. There were more itinerant, advertising quacks making daily or weekly stands in the county seat towns and in Louisville than there have been irregular practitioners at any time since. Between 1888 and 1893 more than twelve hundred so-called doctors either stopped practicing entirely, or left Kentucky for Indiana and Texas, which were the only two states at that time open to uneducated practitioners.

It must also be recalled that in addition to the frequent ravages of cholera and yellow fever the death rate from endemic disease was appalling. When the first sanitary survey of Louisville was made in 1884, it was found that the death rate from typhoid fever was greater here than in any other city of the civilized world. The same thing was true in greater or less degree of practically every county seat in the state. In fact, in 1878, the death rate from typhoid fever alone was higher than the present death rate from all diseases. Ignorance, and insanitary conditions that resulted from it, were at the bottom of all this, but that the large number of wholly untrained medical men and their allies, the advertising quacks, were a large contributing factor, was shown by the

immediate reduction in the death rate following the passage of the medical practice act.

Realizing the importance of vital statistics, the General Assembly, in 1851, created such a bureau but, even though the first director was the distinguished Dr. Wm. L. Sutton, who was the first president of the Kentucky State Medical Association, it was impossible for him to overcome the political organizations in the isolated counties of that time in such a way as to adequately secure the important items which were essential to a complete study of the incidence of disease. It was only when the present model law was passed in 1910 that Kentucky really began to keep accurate records of births and deaths. The story revealed by these records since that comparatively recent time is one in which every citizen of the state can take pride. Cancer and heart disease are the only cause of death that have increased. Educational campaigns against both of these diseases are developing and we have no doubt that they will, within a few years, be producing as effective results as we have already secured in our battle with tuberculosis. The people of the state should be frequently reminded that it would be impossible today for us to be developing our wonderful system of public highways had we continued to have the high death rate from tuberculosis that we found in 1910. We were then wasting more on this unnecessary but dangerous disease than we are now spending in an orderly fashion through our Highway Department. The educators of the state realize that the still inadequate funds appropriated for our public school system would be impossible had not the ravages of typhoid fever been reduced two-thirds, for typhoid fever is not only a death dealing but an expensive disease. From the public health standpoint, the most noteworthy development of recent years has been the full time county health departments. It is of interest that Alabama and North Carolina are the only other states which made the same progress as Kentucky in this development, although Mississippi,

Tennessee, and Georgia are also moving rapidly in this direction. These are the states in which the medical profession has most control in working out the health protection of the people. There could be no possible excuse for changing health officers, public health nurses or sanitary inspectors from term to term because of party politics. The things we have accomplished in public health would have been impossible had the tenure of office of the scientific experts of the State Board of Health been limited to the term of a Governor. Salaries are so low in Kentucky that we must continue to be a training ground for the wealthier states and it would be impossible to secure trained personnel for our services at all were it not that they are assured of continuity in office so long as they work effectively.

The Council in its report, which was unanimously adopted at the last annual meeting of the Kentucky State Medical Association, emphasized the importance of developing a definite program for increasing the supply of properly trained physicians for the small towns and rural sections of the State. They stated that the facts recited above constituted at the present time perfect defense because of the lowered instance of infectious diseases and constantly decreasing death rate, but they insisted that the public health education being conducted by the physicians of the State is bound to result in an increased demand for scientific medical care. They state that when physicians become human engineers, as they are sure to do, they will engage not only in repairing defects and treating diseases, but will be even more largely engaged in advising the health habits of their patients with a view to the prevention of much of the disease that is now popularly considered inevitable. The pre-natal, infant and school conferences, the annual examination of school children and proper supervision of adolescence in the secondary and higher institutions of learning, is sure to develop a demand not only for an annual physical examination for adults but for a character of dietary

and other health habits that will necessitate a considerably larger group of physicians than are now graduating. We must develop a plan before this need overwhelms us. We must have more local hospitals, which are not merely medical and surgical boarding houses for those who are ill, but which are really health centers from which health education and health habits will spread. Experience in other states has indicated that this can only be done in the sections that need them most by a just system of state aid. It is quite as important that the state contribute to the health of its citizens as to the development of their minds in the public school system, their roads in the system of communication or their wealth in the development of better agricultural methods or a more safely controlled banking system. Louisville has always been fortunate in being the center of medical culture and leadership. In the Medical Department of its metropolitan university, it has developed an institution which ranks among the best. We would have cheerfully recommended a plan by which the state could have increased the facilities of this institution by providing it with scholarships on such a scale as to enable it to considerably increase the number of its students from the counties of the state, but we are advised that this would be unconstitutional; and we, therefore, feel that it is imperatively necessary to develop in our educational systems, just as we have developed the Normal Schools and the State University, a Kentucky School of Medicine. There are many and serious objections to such a plan. The greatest difficulty with present day medical education is entrance to the freshman year. Your committee is of the opinion that the situation can be relieved by the provision of a scholar from each of the counties of the State, selected by competitive examination, who shall be educated by the State on condition that he return to his county and practice for a period of years.

This development alone, however, would not solve our problem. We must develop hospitals at the State Normal

Schools and State University, where proper health and medical instruction can be given not only to the teacher but to the leaders of public opinion, who will naturally be educated there. Our State University has made notable advancement in the health education of its students. The Eastern Kentucky Normal School has also moved forward in this respect but each of these institutions, in addition, should have hospitals with perfectly equipped teaching staffs, who could take a sufficient number of internes to entirely examine all of the student body, remedying their defects so far as possible and treating their illness. If these interneships are reserved for scholars provided by such State aid as heretofore been suggested, the students might well be expected to return to the counties from which they are sent and there man the smaller or larger hospitals, which will develop as rapidly as public opinion demands them. We already have many hospitals of the older type, many of which have been giving effective service these many years. The committee will be interested in the development of the Community Hospital at Glasgow and will watch eagerly its attempt to perform all of the functions of a hospital, including interne training as well as nurses' training. Probably the first step should be the establishment of adequate teaching hospitals at each of the State institutions of higher education under the State aid plan and the development of county or district hospitals wherever they have already developed full time health departments.

In the following table, which was prepared at our request by the State Board of Health, we find that the number of physicians in Kentucky in 1905 was 3,621, while in 1930 it was 2,582:

	1930	1905		1930	1905
Adair	12	20	Bell	39	21
Allen	11	17	Boone	9	30
Anderson	11	16	Bourbon	26	35
Ballard	12	30	Boyd	64	39
Barren	16	37	Boyle	16	22
Bath	7	21	Bracken	12	21

Breathitt	8	8
Breckinridge	14	32
Bullitt	10	16
Butler	5	17
Caldwell	13	26
Calloway	19	35
Campbell	68	62
Carlisle	9	18
Carroll	12	21
Carter	16	26
Casey	9	17
Christian	44	72
Clark	27	34
Clay	7	8
Clinton	3	10
Crittenden	8	21
Cumberland	7	16
Daviess	45	85
Edmonson	2	6
Elliott	2	6
Estill	9	11
Fayette	131	100
Fleming	15	28
Floyd	18	15
Franklin	20	29
Fulton	20	33
Gallatin	3	11
Garrard	8	13
Grant	13	29
Graves	32	65
Grayson	11	29
Green	7	13
Greenup	12	22
Hancock	5	14
Hardin	25	44
Harlan	55	4
Harrison	22	32
Hart	11	21
Henderson	33	64
Henry	18	34
Hickman	8	28
Hopkins	37	52
Jackson	5	6
Jefferson	574	615
Jessamine	15	26
Johnson	12	17
Kenton	78	92
Knott	3	2
Knox	9	20
Larue	6	15
Laurel	8	22
Lawrence	13	21
Lee	5	7
Leslie	6	3
Letcher	31	5
Lewis	5	17
Lincoln	13	22
Livingston	6	20
Logan	18	38
Lyon	4	9
McCracken	49	71
McLean	8	25
McCreary	6	0
Madison	38	48
Magoffin	7	3
Marion	9	26
Marshall	22	24
Martin	4	4
Mason	24	39
Meade	5	13
Menifee	4	31
Mercer	21	34
Metcalfe	5	14
Monroe	9	24
Montgomery	16	27
Morgan	8	16
Muhlenberg	29	40
Nelson	10	39
Nicholas	12	21
Ohio	15	47
Oldham	6	18
Owen	9	26
Owsley	3	4
Pendleton	10	24
Perry	37	3
Pike	36	14
Powell	2	10
Pulaski	21	40
Robertson	4	6
Rockcastle	8	15
Rowan	4	8
Russell	7	14

Scott	19	34	Warren	42	60
Shelby	17	34	Washington	9	21
Simpson	13	22	Wayne	7	15
Spencer	5	15	Webster	22	42
Taylor	9	15	Whitley	34	35
Todd	12	30	Wolfe	8	10
Trigg	9	18	Woodford	18	27
Trimble	4	8			
Union	18	42	Total	2582	3621

We publish this table by counties and it will be found that the number has been increased only in the cities and in the industrial centers. We believe that medical education should continue on its present high standards but we submit that there is no reason why the quarter system, which has been adopted in many states, should not be adopted in the training of physicians in Kentucky. Six years is now required for pre-medical, pre-clinical and clinical medical education. However, only eight months of each of these years is utilized, which means that the student is in school for forty-eight months. There is no reason why the energetic young man or woman should not remain in school continuously for forty-eight months and receive the same high standard of scientific education now secured. This result is being accompanied in many states with a saving of two years' time and much expense.

After making this study and finding that the medical profession realizes its responsibility and has advised adequate plans for its relief and the committee has caused to be prepared three bills: One establishes and provides for the maintenance of a Bureau of Medical Education and Hospitals in the State Board of Health and for State aid for county hospitals under the general plan that has been found successful in Pennsylvania, Iowa, Kansas and other states; the second established hospitals at each of the State Normal Schools and Teachers Colleges the third provides for the establishment of a Kentucky School of Medicine and the necessary scholarships to make it successful. All of these activities would, we feel,

increase the importance of the Medical Department of the University of Louisville, which is now recognized as one of the best institutions of medical education in the United States.

The cost of this plan is set out in the several bills submitted. The increased revenue necessary for its support is a matter which does not properly come before this committee but should be referred to the committee on Revenue and Taxation if the General Assembly consider it wise to incur this additional expenditure, which we believe is necessary for the protection of the health and lives of our people.

Respectfully submitted,

WINN DAVIS,
LEE CLARK,
S. J. DOUTHITT,
LEWIS RYANS,
O. H. BROOKS,
J. M. ROSE.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 354. An Act to enable any city of the first class which has adopted a major street plan to, at any time or times and as often as it may desire, in its discretion, widen, alter, or extend any major street or streets or open or establish new major streets in accordance with and as required by said plan or any part or all of said major street or streets and to provide a method for the condemnation of property for any or all of such purposes and to create special taxing districts embracing all of the property in the vicinity of such improvement benefited thereby, and to charge and assess the costs of said improvement, including land, construction, reconstruction and all other expenses incident thereto against the owners of property benefited by such improvement, and to make such

special taxes as prior lien on the property so benefited in priority immediately after state and county taxes and the ordinary city taxes thereon, and to enable said city to apply to the collection of such taxes the provisions of Section 2839 of the Kentucky Statutes.

With a Committee Amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The short title of this Act shall be "Major Street Improvement Act."

§ 2. That where any city of the first class in this Commonwealth has adopted a major street plan, in accordance with a comprehensive plan of said city, and shall at any time or times, in pursuance of said plan desire to widen, alter, or extend and improve any such major street of streets, in accordance with said plan or any definite part or parts of any such street or streets or shall desire at any time or times in pursuance of said major plan to lay out and improve any new major street or streets, as required by said plan, it may do so in the manner provided by this Act.

§ 3. At any time when recommended by the Planning and Zoning Commission, the Director of Works may cause to be prepared an ordinance defining the extent and boundary of the street to be widened, altered, or extended and improved, if an old street, or if a new street, to be opened and improved, and shall further specify the width of the street, from property line to property line, and the width and location of the carriageway, and the character of the construction or reconstruction required.

The ordinance defining the improvement shall also prescribe the limits of a local benefit assessment area or taxing

district upon which the cost of the entire project is to be assessed and paid for. Accompanying said ordinance and as part thereof, the Director of Works shall cause the City Engineer to make a plat and survey, showing first the character, course and extent of the proposed improvement and the property necessary to be taken or interfered with thereby, and the name of the owner and the lot and block number, as shown in the City Assessor's office, of each parcel of such property, if the name of the owner is known, if not, it shall be marked unknown and shall further show the amount of land taken from each owner; and contain such further statement as may, in the opinion of the Director of Works, be proper to explain such survey, and the character and extent of the proposed improvement, and said plat and survey shall further show the proposed taxing district and the proposed character, course, and extent of same, and the specific property embraced therein, which it is believed is benefited by, and its value increased by said improvement, together with the name of the owner and the lot and block number of each parcel of such property, if the name of the owner is known, if not, it shall be marked as unknown; and shall contain such further statement as, in the opinion of the Director of Works, is proper and necessary to explain such plat and survey, and the character and extent of the proposed taxing district. After said ordinance has been introduced in the legislative body, it shall be the duty of said body to give notice by publication in a newspaper of general circulation in such city, containing the essential specifications in the premises to give the owners of the property embraced in the taxing district, and all persons having an interest in, lien upon, or claim against said property, notice of the pendency of such ordinance before the legislative body, and to fix a time whereat the legislative body will give a public hearing to everyone affected by said improvement, either directly or indirectly, before the passage of such ordinance. After such hearing, the legislative body may adopt such ordinance at their next regular meeting, or if not

satisfied with same, may refer same back to the Director of Works and the Planning and Zoning Commission, with their recommendations. If such recommendations meet with the approval of the Director of Works and the Planning and Zoning Commission, they shall prepare an ordinance in accordance therewith, and the same may be regularly introduced and passed without further hearing. After the adoption of said ordinance, the same, together with the plat and survey, shall be held to show the character and extent of the improvement actually agreed upon and ordered by the legislative body, and the character and extent of the proposed taxing district to pay for the improvement aforesaid, as agreed upon and ordered by the legislative body.

§ 4. In order to establish said taxing district, the Director of Works is authorized, with the approval of the Mayor, to employ such experts as may be necessary to advise him in the preparation and to further advise the Council in determining the probable amount of benefit to each piece of property in the taxing district.

§ 5. After the adoption of the ordinance and plat by the legislative body of the City, it shall be the duty of the City Attorney to file a petition in the Circuit Court of the County in which said City is situated. In this action the City shall be the plaintiff, and the owners of all property sought to be taken shall be named as defendants, together with any other person or persons having an interest in or lien upon, or a claim to the property sought to be taken. The city Attorney may also, in his discretion, name as defendants all persons having property in the taxing district, whose property is claimed to be benefited by the improvement.

Process against the defendants whose property is sought to be taken shall be the same and returnable at the same time as under the civil process in actions in the Circuit Court, and the City Attorney may, in his discretion, cause process to be issued and returned against any or all of the defendants in the taxing district whose property is claimed to be benefited,

or the City Attorney may, in his discretion, bring all defendants whose land is not taken but whose property is claimed to be benefited by the improvement, before the Court, by publication and notice at the time and in the manner hereinafter set out.

The body of the petition shall state that it is filed under this Act, shall give the general terms and tenor of the ordinance of the legislative body, and shall file a copy of the ordinance, including the plat and survey, officially attested by the Director of Works and the City Engineer. The petition shall further state the boundary of the proposed improvement and the boundary of the proposed taxing district, but it shall not be necessary to describe the particular parcels of land sought to be taken or the particular parcels of land claimed to be benefited, but the plat shall be treated and considered as showing thereon the boundary and description of each parcel of property. The petition will conclude with a prayer that the property sought to be condemned, be taken and the damages for such taking adjudged, and the proposed taxing district be established, and the benefits to and the increase in value of each piece of property in said district be ascertained and adjudged, and for any other relief, general or special, that may be desired. The petition shall be signed by the City Attorney, but verification shall not be required.

§ 6. At any time after the filing of the petition, on motion of the plaintiff, the Court shall appoint three (3) viewers and appraisers, who shall be resident free-holders of said City, and who are in no way interested in the action and not of kin in the second degree of consanguinity to any person owning land proposed to be taken. Upon their appointment, the viewers and appraisers shall take an oath before the Court to faithfully perform their duties under this Act. They shall then give notice by publication of the time and place at which they will meet for the purpose of appraising damages to the property sought to be taken. Said notice shall contain a substantial description showing the boundaries which compre-

hend the land in the aggregate to be taken for the entire improvement, and shall be addressed generally: "To all persons owning land or having any interest in land," lying within the boundary sought to be taken. At the time and place mentioned in the notice, the viewers and appraisers shall meet and examine each piece of property proposed to be taken and they shall ascertain the direct damage to each property owner from such taking, and state same as to each parcel and to each owner, giving each item of damage allowed and the amount thereof, and they shall then ascertain and state the consequential damage, if any, and make an itemized statement thereof, and they may adjourn their meeting from day to day or from time to time, by making public announcement at the conclusion of any day's meeting of the time and place at which the next meeting will be held. After the appraisement of damages shall be completed, the viewers and appraisers shall file in Court, in the action, a complete and itemized report covering each piece of property sought to be taken.

Any property owner whose property is sought to be taken may appear at any meeting of the viewers and appraisers and present to the viewers and appraisers any evidence of the damage or injury to the property he may desire, and the City may present to said viewers and appraisers any evidence on the damage to any piece of property that it may desire. After ascertaining the damages aforesaid, it shall then be the duty of the viewers and appraisers to give a similar notice, by publication, of the time and place in which they will meet to assess and determine the benefits to property in said taxing district. This notice shall contain the boundary of the taxing district to be addressed generally: "To all persons owning land," with said boundary; at the time and place fixed in said notice the said viewers and appraisers shall meet and view each specific piece of property in the proposed taxing district and ascertain as to each piece of property therein the increase in value of said property by reason of said improvement, and make an itemized statement thereof. If, in the

opinion of the viewers, any piece of property embraced in the taxing district is not benefited by said improvement, they shall so state and make no recommendation.

If the viewers shall find that property outside of the benefited district, proposed by the ordinance, is benefited by the proposed improvement, they may so report to the Court, and the amount of benefit as to each piece of property, and the Court may, by order, add same to the taxing district. If no property is recommended by the viewers and appraisers to be added to their report, then they shall, in each report, state that no private property except as specifically found in the report made, is benefited by the proposed improvement, and it shall not be necessary for them to report their reasons or findings as to any property omitted in the report within the benefited district, as fixed by the ordinance, but the Court may, for cause, require a report as to any specific piece omitted.

Any property owner in said district may appear before said viewers and appraisers and submit any evidence concerning the benefit to his said property, that he may desire, and the City may similarly submit evidence. After final ascertainment of the benefits in said taxing district, the viewers shall make true report to the Court as to their findings as to each piece of property in the said taxing district. Each of the foregoing reports shall be filed within thirty days after the appointment of the viewers and appraisers unless the Court shall, for cause, extend the time.

§ 7. Where the owner of any property sought to be taken is unknown, or where the owner of property claimed to be benefited in the taxing district is unknown, they shall be described in the proceeding as unknown defendants, owners of lot Number ..... Block Number ....., on the City Assessor's Maps, and process shall be the same as for unknown defendants under the civil code, provided, however, the City Attorney, in his discretion, may proceed against the unknown owners of a lot in the taxing district by publication as per-

mitted for known owners, in which publication they shall be described as the unknown owners of Lot Number ..... Block Number ....., City Assessor's Maps. If the City Attorney has elected to proceed against the owners of property in the taxing district by publication and notice after the viewers' report of benefits has been filed, it shall be his duty to furnish to the Clerk of the Court, the names and addresses of each owner of property in the taxing district, and direct him to give such notice, and it shall thereupon be the duty of the Clerk of the Court to at once give notice, by publication in a daily newspaper, published in said City, by four insertions, made by one insertion, and one insertion each successive week thereafter until there shall have been four publications in all, each insertion naming each person whose property is stated by the viewers' report to be benefited by said improvement, and shall further mail, by registered mail, with return card requested, to each property owner at the address given a similar notice. If the name of the owner of the property is unknown, he shall be identified in the notice as "unknown owner of Lot ....., Block ....., City Assessor's Maps."

Said notice shall be substantially in the following form:

"Jefferson Circuit Court,
..... Branch
..... Division.

City of ....., - - - - - - Plaintiff,

vs. NOTICE OF PETITION UNDER MAJOR STREET IMPROVEMENT ACT.

....., et al., - - - - - Defendants.

The following named person will take notice, (here insert names of all persons and addresses given in the viewers' report) that the city of ....., proposes to make a Major Street Improvement, as follows (here insert description of improvement); that to pay the cost of said improvement, said City proposes in this proceeding the establishment of a taxing district of the following boundary, viz.: (here insert boundary of taxing district).

Viewers have been appointed and on viewing same have found that your property lying in said district will be benefited by said improvement, and have fixed the value of such benefit by their report, all of which can be seen by an examination of their report now on file in this case. Said report will remain open for objections and exceptions thereto until the ..... day of ....., ... year. If you have any objections to said report, or desire to contest same, you are hereby notified to file your exceptions on or before said date, otherwise all objections thereto will be considered and treated as waived, and said report will be confirmed, and the benefit to your property fixed for such taxing purposes against you.

Given under my hand as Clerk of said Court this ..... day of ....., 19 .....

.....

Clerk ..... Circuit Court."

After making the publications required, and mailing the notices to property owners, the Clerk shall certify fully to the Court his action in the premises and the notice so given by the publications aforesaid and mailing as aforesaid, shall be treated as the process in the case as to all such defendants, and the certificate of the Clerk as aforesaid as a due return on said process, and all persons so notified shall be treated as before the Court for all purposes of the case, and shall make defense thereto within twenty days after the last publication of the notice.

§ 8. After the report of the viewers and appraisers has been filed, stating the damage to each piece of property, it shall be the duty of each property owner objecting to same, to file exceptions on or before the date allowed for excepting, and if no exceptions shall be filed, then the Court shall confirm said report, and enter judgment thereon as to all not excepting, and upon the City paying into Court or to the property owner the amount of damages ascertained by the report, the City may immediately take possession of said property. If exceptions shall be filed, the Court shall confirm the report

as to those not excepting and shall set the exceptions for an early hearing, and the Court may try such exceptions unless a jury be demanded by the property owner, whereupon the Court shall be authorized to summon a Jury of freeholders to ascertain the damages. Upon any decision of the Court or verdict of the Jury, the property owner or City may appeal to the Court of Appeals, but such appeal shall be prayed at once, and the appeal lodged in the Court of Appeals, not exceeding fifteen (15) days from the date of such appeal is allowed, unless the court shall, for some cause, extend the time.

Upon the ascertainment of damages either by the Court or Jury, the City may pay the amount so ascertained, and take possession of the property, but such payment shall not prevent an appeal by either party, and if by such appeal, the damages to defendant's property is increased, the City shall be required to pay the amount of such increase.

After the report has been filed, stating the benefit to each piece of property, it shall be the duty of each property owner, either summoned or notified by publication and by mail, as aforesaid, objecting thereto on or before the date fixed by the Court or given in said notice, to file his exceptions to the report, and upon the date fixed, the Court shall confirm the report as to all not excepting, and enter judgment thereon, and set all exceptions for an early hearing before the Court. Any property owner in the city dissatisfied by a decision of the Court, may appeal to the Court of Appeals, which said appeal is to be taken at once and lodged in the Court of Appeals not later than 20 days after the judgment. The City shall have the same right of exception and appeal, as granted to the property owners.

§ 9. Each report of the viewers and appraisers shall be filed in open court, at a joint session day, and after being regularly docketed and at said time, the Court shall enter an order laying each report over for exceptions to a fixed day, the report as to damages shall be laid over for exceptions not

earlier than twenty (20) days thereafter, and the report as to benefits not earlier than sixty (60) days thereafter. Either time may be extended by the Court for cause; within thirty (30) days after the filing of the viewers' report, the Clerk of the Court shall have completed the giving of the notice and the making of his certificate thereon. If, for any reason, he should fail to complete same, within the time herein allowed, the Court shall, by order, extend the time for exceptions to the report of benefits to such date as assures to those notified twenty (20) days of time intervening between the last date of the publication and the last date of filing exceptions to said report.

§ 10. To facilitate Jury trials, the Court may send the parties and witnesses to any of the common law Courts for immediate trial; to facilitate appeals, the party objecting to the decision of the Court, or the verdict of a Jury, shall, within three juridical days after the day of trial, file with Court, an assignment of the errors complained of. The Court shall examine same and if convinced that an error has been committed, a new trial may be granted and the case set for an early date. If the Court finds no error, then he shall grant an appeal to the Court of Appeals, and it shall only be necessary to take to the Court of Appeals such parts of the record as applies to the errors complained of—otherwise than stated herein, the procedure in the entire case shall be governed by the Code of Civil Practice.

§ 11. After the institution of any action under this Act, the City may, from time to time, file therein any additional or supplemental petition that may be necessary pursuant to and in conformity with any ordinance or ordinances that have been duly recommended by the City Planning and Zoning Commission, and the Director of Works, and passed by the legislative body for amendment of the public use, improvement or work defined, designated or proposed by the prior ordinances under which the action was instituted, and this may be done whether the same be an amendment to increase

or decrease, or otherwise alter the taking or damaging of any properties or estates therein previously affected, or an amendment or omission of any such properties or estates or for the addition of any properties or estates not theretofore affected, or to increase or add to the burden for public use; as to all new parties introduced by such amended and supplemented petitions, process shall be issued and served as heretofore specified in this Act, and the Court or Judge shall make such orders in the cause as may be appropriate to the status of the case by reason of such amendment of the public improvements.

§ 12. In all suits brought under this Act, the viewers and appraisers appointed by the Court shall, upon order of the Judge, file partial reports covering their assessment of damages, or of benefits, or of both, up to the time when such report may be filed, and at any time after such report shall have been filed, as aforesaid, and confirmed, the City may pay into Court the amount of damages assessed, and upon doing so, it shall be entitled to take possession of the property. Such partial reports shall be embodied in the final report made by the viewers and appraisers. Such reports are to be filed at a joint session day of the Court, after the case has been regularly set upon the docket for calling; at which day the Court may fix the time for filing exceptions thereto.

§ 13. The cost of this proceeding shall be paid by the City, except where exceptions are filed and a contest had, either in the Circuit Court or the Court of Appeals, the costs due to such contest shall be adjudged against the unsuccessful party. The Court shall make a reasonable allowance to the viewers and appraisers for their services and to the Clerk of the Court for any services not covered by the Statute, fixing the Clerk's fees. Where fixed by Statute, the fees of all officers for all services are to be as so fixed.

§ 14. The procedure outlined herein is not to be construed technically, but liberally, with a view to give to each party the utmost protection to his rights, constitutional and

otherwise, and the Court is authorized to so mold and adopt this procedure to that end.

§ 15. At any time when, within the judgment of the legislative body of such City, it is apparent that the entire improvement can be ultimately carried out and completed, and at this time a sufficient amount of land can be acquired by the City to justify the beginning of the work of improvement, or any sufficient part of it, and enough persons have been adjudged liable under the report of the viewers to reasonably pay for such work, the City may, by ordinance, direct that the work be done, and the taxing district established to that extent, and it shall not be compelled to wait until the final decision of the Court on exceptions that may have been filed either as to damages or to benefits, but it shall not take any land until it has paid for it, and it shall not assess or collect any tax for any benefit to land, until it shall have been finally decided by the Court that such land is benefited and the amount thereof, and in laying a tax in the district, the City shall advance and pay the proportion of tax that would have been paid by those contesting, if there had been no contest. When such contest has been decided, the persons so contesting shall be compelled to pay their proportion of tax to the City.

§ 16. The improvements mentioned in this Act mean not only the land acquired, but the construction and reconstruction of the street, sidewalks, gutters and every expense connected therewith, including all costs of the action. The sum of the increase in value to each piece of property as finally adjudged by the Court, represents and is the entire assessment of the value of the benefits to all of the property in said taxing district, and the legislative body of said City is authorized to levy a tax or successive taxes on said district to pay for said improvement, but in no event shall the total tax against any piece of property exceed the amount of benefit to said property as fixed by the final judgment of Court.

§ 17. Upon the filing of the petition, the City Attorney shall file in the Clerk's office of the County Court, a Lis Pen-

dens, giving the caption of the suit and number thereof, and names of all defendants in full and the boundary of the proposed improvement, and the boundary of the taxing district, where the owners of property in the taxing district are named as defendants, all of which shall be a sufficient notice that the property of all the defendants in the action lying within the boundary given, is affected by the suit, and where process is by publication, and notice mailed, then after the filing of the viewers' report, he shall file in the Lis Pendens Book a copy of the notice as published by the Circuit Clerk, and this shall be a sufficient notice to everyone that the property of those named in the notice lying in the boundary of the taxing district, is affected by the suit. The County Clerk shall index in the first instance, the names of all the defendants, and in the second instance, all of those whose names appear in the notice.

§ 18. The provisions of Section 2839 of the Kentucky Statutes, and all amendments thereto, shall be applied to the collection of the tax levied or assessed, as herein provided for the payment of the entire improvement, including land, construction, reconstruction, and all other costs and expenses, including the costs of the action.

§ 19. The City shall have power to purchase, without condemnation, any part or all of the property of any person whose property is sought to be taken for the making of the improvement. In the event the City shall purchase more property than required for the improvement, the viewers and appraisers shall appraise for damages, that portion taken for the improvement, and same shall be paid to the City, as other property owners are paid, and the remaining portion shall be assessed against the City as against any other property holder in the taxing district, such assessment shall constitute a lien at the same time, as provided for a lien on other property in the taxing district, and shall run with the land until paid. The City may sell and convey any excess property that it may acquire.

§ 20. In order to pay for the land purchased or condemned, and to get immediate possession thereof, the City may issue preliminary bonds secured by lien on the assessment of the taxing district, based on the cost of the land, as reported by the viewers and appraisers, and the cost of the construction and reconstruction, as based on an estimate of the City Engineer, but not to exceed the total of the cost of said land, and thirty per cent of the estimated cost of construction. Said preliminady bonds to be exchanged for the permanent bonds issued under Section 2839, Kentucky Statutes, after the cost of the entire improvement, both land and construction has been completed.

§ 21. It shall be the duty of the City Engineer, if called upon by the viewers and appraisers to do so, to furnish them with an estimate of the construction cost of the entire improvement.

§ 22. The City may pay any portion of the improvement that the legislative body may see fit, and the City may advance out of any funds that the legislative body may appropriate for that purpose, money for the improvement, and receive the same back when the taxes and assessments are collected against the benefited district, or out of the proceeds of the sale of bonds as provided by Section 2839, Kentucky Statutes.

§ 23. No bonds issued under this Act shall constitute a debt against the City, but the holder of said bonds, if the official charge with the duty of collecting same, shall fail to do so, may either sue on the same in their own right or mandamus, the official of the City charged with the duty to collect same.

§ 24. The legislative body of the City may, at any time after the passage of the original ordinance by another ordinance or ordinances recommended by the City Planning and Zoning Commission, and the Director of Public Works, amend the public use, improvement of work defined, designated or proposed by the original ordinance, whether the same be to increase or decrease or otherwise alter the taking or

damaging of any properties or estates affected by said previous ordinance, or to amend the omission of any such properties or estates, or for the addition of any properties or estates not theretofore affected or change, increase, or make addition to any of the burdens for public use, and this shall apply to either the taking of land or to the taxing district, or to any change that may be necessary in the work of construction or reconstruction, or any addition thereto.

§ 25. The City shall have a lien prior to all other liens, excepting the liens only of general, state, county, and city taxes, against each piece of property within the taxing district, for all the taxes that may be levied against the same, from the date said Lis Pendens notice is filed in the office of the County Clerk. After the costs of the entire improvement, both land and construction have been definitely ascertained, the City shall cause to be made, an apportionment based on the benefit adjudged by the Court on each piece of property in said district for its proportionate share, after which, the City shall have a lien for the specific amount of such apportionment against each piece of property, which lien shall include interest on said amount at the rate of six per cent. (6%) per annum, from the date of such apportionment until paid. Any property owner at any time thereafter, desiring to relieve his property from further payment of interest, may pay the amount of said lien, or any balance that may remain on said lien, with interest to date of such payment, and the City shall make due release of the lien against his property.

§ 26. When the apportionment in the preceding section has been made, the same shall be entered upon a special book kept for that purpose in the office of the Director of Finance, and shall contain the name of the owner, date of the apportionment, sufficient description of the property to identify it, and a space for the release of the lien, when paid. If payment shall be divided in annual installments, there shall be a space to show the date of payment of each installment. The officer or contractor collecting same shall certify same to the Direc-

tor of Finance, who shall cause same to be entered upon said book, or any person holding a receipt for such payment can produce said receipt to the Director of Finance, and have same entered upon said book.

§ 27. The City, at any time prior to final judgment in the suit, may repeal any ordinance provided for under this Act, and may dismiss without prejudice, any suit brought under said ordinance, and thereafter the City may enact any new ordinance and file any new suit that it may deem proper.

§ 28. This act shall be treated as in no wise exclusive or as repealing any of the Statutes authorizing street improvements, or the assessment or collection of costs of same, but its provisions shall be treated as optional and supplementary only.

§ 29. If any section or any provision of this Act shall be held unconstitutional, it shall not affect the validity of the Act, as a whole, or any other section of provision thereof.

§ 30. This Act shall be liberally construed.

§ 31. All laws or parts of laws in conflict herewith are hereby repealed.

Said Substitute is as follows, viz.:

H. B. 354. An Act to enable any city of the first class which has adopted a major street plan to, at any time or times and as often as it may desire, in its discretion, widen, alter, or extend any major street or streets or open or establish new major streets in accordance with and as required by said plan or any part or all of said major street or streets and to provide a method for the condemnation of property for any or all of such purposes and to create special taxing districts embracing all of the property in the vicinity of such improvement benefited thereby, and to charge and assess the costs of said improvements, including land, construction, reconstruction and all other expenses incident thereto against the owners of property benefited by such improvement, and

to make such special taxes a prior lien on the property so benefited in priority immediately after state and county taxes and the ordinary city taxes thereon, and to enable said city to apply to the collection of such taxes the provisions of Section 2839 of the Kentucky Statutes.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The short title of this Act shall be "Major Street Improvement Act."

§ 2. That where any city of the first class in this Commonwealth has adopted a major street plan, in accordance with a comprehensive plan of said city, and shall at any time or times, in pursuance of said plan, desire to widen, alter, or extend and improve any such major street or streets, in accordance with said plan or any definite part or parts of any such street or streets or shall desire at any time or times in pursuance of said major plan to lay out and improve any new major street or streets, as required by said plan, it may do so in the manner provided by this Act.

§ 3. At any time when recommended by the Planning and Zoning Commission, the Director of Works may cause to be prepared an ordinance defining the extent and boundary of the street to be widened, altered, or extended and improved, if an old street, or if a new street, to be opened and improved, and shall further specify the width of the street, from property line to property line, and the width and location of the carriageway, and the character of the construction or reconstruction required.

The oridnance defining the improvement shall also prescribe the limits of a local benefit assessment area or taxing district upon which the cost of the entire project is to be assessed and paid for. Accompanying said ordinance and as part thereof, the Director of Works shall cause the City Engineer to make a plat and survey, showing first the character, course and extent of the proposed improvement and the

property necessary to be taken or interfered with thereby, and the name of the owner and the lot and block number, as shown in the City Assessor's Office, of each parcel of such property, if the name of the owner is known, if not, it shall be marked unknown and shall further show the amount of land taken from each owner; and contain such further statement as may, in the opinion of the Director of Works, be proper to explain such survey, and the character and extent of the proposed improvement, and said plat and survey shall further show the proposed taxing district and the proposed character, course, and extent of same, and the specific property embraced therein, which it is believed is benefited by, and its value increased by said improvement, together with the name of the owner and the lot and block number of each parcel of such property, if the name of the owner is known, if not, it shall be marked as unknown; and shall contain such further statement, as, in the opinion of the Director of Works, is proper and necessary to explain such plat and survey, and the character and extent of the proposed taxing district. After said ordinance has been introduced in the legislative body, it shall be the duty of said body to give notice by publication in a newspaper of general circulation in such city, containing the essential specifications in the premises to give the owners of the property embraced in the taxing district, and all persons having an interest in, lien upon, or claim against said property, notice of the pendency of such ordinance before the legislative body, and to fix a time whereat the legislative body, will give a public hearing to everyone affected by said improvement, either directly or indirectly, before the passage of such ordinance. After such hearing, the legislative body may adopt such ordinance at their next regular meeting, or if not satisfied with same, may refer same back to the Director of Works and the Planning and Zoning Commission, with their recommendations. If such recommendations meet with the approval of the Director of Works and the Planning and Zoning Commission, they shall prepare an ordinance in accord-

ance therewith, and the same may be regularly introduced and passed without further hearing. After the adoption of said ordinance, the same, together with the plat and survey, shall be held to show the character and extent of the improvement actually agreed upon and ordered by the legislative body, and the character and extent of the proposed taxing district to pay for the improvement aforesaid, as agreed upon and ordered by the legislative body.

§ 4. In order to establish said taxing district, the Director of Works is authorized, with the approval of the Mayor, to employ such experts as may be necessary to advise him in the preparation and to further advise the Council in determining the probable amount of benefit to each piece of property in the taxing district.

§ 5. After the adoption of the ordinance and plat by the legislative body of the City, it shall be the duty of the City Attorney to file a petition in the Circuit Court of the County in which said City is situated. In this action the City shall be the plaintiff, and the owners of all property sought to be taken shall be named as defendants, together with any other person or persons having an interest in or lien upon, or a claim to the property sought to be taken. The City Attorney may also, in his discretion, name as defendants all persons having property in the taxing district, whose property is claimed to be benefited by the improvement.

Process against the defendants whose property is sought to be taken shall be the same and returnable at the same time as under the civil process in actions in the Circuit Court, and the City Attorney may, in his discretion, cause process to be issued and returned against any or all of the defendants in the taxing district whose property is claimed to be benefited, or the City Attorney may, in his discretion, bring all defendants whose land is not taken but whose property is claimed to be benefited by the improvement, before the Court, by publication and notice at the time and in the manner hereinafter set out.

The body of the petition shall state that it is filed under this Act, shall give the general terms and tenor of the ordinance of the legislative body, and shall file a copy of the ordinance, including the plat and survey, officially attested by the Director of Works and the City Engineer. The petition shall further state the boundary of the proposed improvement and the boundary of the proposed taxing district, but it shall not be necessary to describe the particular parcels of land sought to be taken or the particular parcels of land claimed to be benefited, but the plat shall be treated and considered as showing thereon the boundary and description of each parcel of property. The petition will conclude with a prayer that the property sought to be condemned, be taken and the value and damages for such taking adjudged, and the proposed taxing district be established, and the benefits to and the increase in value of each piece of property in said district be ascertained and adjudged, and for any other relief, general or special, that may be desired. The petition shall be signed by the City Attorney, but verification shall not be required.

§ 6. Within thirty (30) days after the filing of the petition, on motion of the plaintiff, the Court shall appoint three (3) viewers and appraisers, who shall be resident free-holders of said City, and who are in no way interested in the action and not of kin in the second degree of consanguinity to any person owning land proposed to be taken. Upon their appointment, the viewers and appraisers shall take an oath before the Court to faithfully perform their duties under this Act. They shall then give notice by publication of the time and place at which they will meet for the purpose of appraising damages to the property sought to be taken. Said notice shall contain a substantial description showing the boundaries which comprehend the land in the aggregate to be taken for the entire improvement, and shall be addressed generally: "To all persons owning land or having any interest in land," lying within the boundary sought to be taken. At the time

and place mentioned in the notice, the viewers and appraisers shall meet and examine each piece of property proposed to be taken and they shall ascertain the value and direct damage to each property owner from such taking, and state same as to each parcel and to each property owner from such taking, and state same as to each parcel and to each owner, giving each item of value and damage allowed and the amount thereof, and they shall then ascertain and state the consequential damage, if any, and make an itemized statement thereof, and they may adjourn their meeting from day to day or from time to time, by making public announcement at the conclusion of any day's meeting of the time and place at which the next meeting will be held. After the appraisement of value and damages shall be completed, the viewers and appraisers shall file in Court, in the action, a complete and itemized report covering each piece of property sought to be taken.

Any property owner whose property is sought to be taken may appear at any meeting of the viewers and appraisers and present to the viewers and appraisers any evidence of the value and damage or injury to the property he may desire, and the City may present to said viewers and appraisers any evidence on the damage to any piece of property that it may desire. After ascertaining the value and damages aforesaid, it shall be the duty of the viewers and appraisers to give a similar notice, by publication, of the time and place in which they will meet to assess and determine the benefits to property in said taxing district. This notice shall contain the boundary of the taxing district to be addressed generally: "To all persons owning land, or having an interest in the property," within said boundary; at the time and place fixed in said notice the said viewers and appraisers shall meet and view each specific piece of property in the proposed taxing district and ascertain as to each piece property therein the increase in value of said property by reason of said improvement, and make an itemized statement thereof. If, in the opinion of

the viewers, any piece of property embraced in the taxing district is not benefited by said improvement, they shall so state and make no recommendation.

If the viewers shall find that property outside of the benefited district, proposed by the ordinance, is benefited by the proposed improvement, they may so report to the Court, and the amount of benefit as to each piece of property, and the Court may, by order, add same to the taxing district. If no property is recommended by the viewers and appraisers to be added to their report, then they shall, in each report, state that no private property except as specifically found in the report made, is benefited by the proposed improvement, and it shall not be necessary for them to report their reasons or findings as to any property omitted in the report within the benefited district, as fixed by the ordinance, but the Court may, for cause, require a report as to any specific piece omitted.

Any property owner in said district may appear before said viewers and appraisers and submit any evidence concerning the benefit to his said property, that he may desire, and the City may similarly submit evidence. After final ascertainment of the benefits in said taxing district, the viewers shall make due report to the Court as to their findings as to each piece of property in the said taxing district. Each of the foregoing reports shall be filed within thirty (30) days after the appointment of the viewers and appraisers unless the Court shall, for cause, extend the time.

§ 7. Where the owner of any property sought to be taken is unknown, or where the owner of property claimed to be benefited in the taxing district is unknown, they shall be described in the proceeding as unknown defendants, owners of lot Number ..... Block Number ....., on the City Assessor's Maps, and process shall be the same as for unknown defendants under the civil code, provided, however, the City Attorney, in his discretion, and viewers and appraisers may proceed against the unknown owners of a lot in the taxing district by publication as permitted for known owners, in which

publication they shall be described as the unknown owners of Lot Number ..... Block Number ....., City Assessor's Maps. If the City Attorney has elected to proceed against the owners of property in the taxing district by publication and notices after the viewers' report of benefits has been filed, it shall be his duty to furnish to the Clerk of the Court, the names and addresses of each owner of property in the taxing district, and direct him to give such notice, and it shall thereupon be the duty of the Clerk of the Court to at once give notice, by publication in a daily newspaper, published in said City, by four insertions, made by one insertion, and one insertion each successive week thereafter until there shall have been four publications in all, each insertion naming each person whose property is stated by the viewers' report to be benefited by said improvement, and shall further mail, by registered mail, with return card requested, to each property owner at the address given a similar notice. If the name of the owner of the property is unknown, he shall be identified in the notice as "unknown owner of Lot ....., Block ....., City Assessor's Maps."

Said notice shall be substantially in the following form:

"Jefferson Circuit Court,
..... Branch
..... Division
City of ....., - - - - - - - Plaintiff,
vs. NOTICE OF PETITION UNDER MAJOR STREET IMPROVEMENT ACT.
....., et al., - - - - - , Defendants.

"The following named persons will take notice, (here insert names of all persons and addresses given in the viewers' report), that the city of ....., proposes to make a Major Street Improvement, as follows (here insert description of improvement); that to pay the cost of said improvement, said City proposes in this proceed-

ing the establishment of a taxing district of the following boundary, viz.: (here insert boundary of taxing district).

"Viewers have been appointed and on viewing same have found that your property lying in said district will be benefited by said improvement, and have fixed the value of such benefit by their report, all of which can be seen by an examination of their report now on file in this case. Said report will remain open for objections and exceptions thereto until the ..... day of ....., ... year. If you have any objections to said report, or desire to contest same, you are hereby notified to file your exceptions on or before said date, otherwise all objections thereto will be considered and treated as waived, and said report will be confirmed, and the benefit to your property fixed for such taxing purposes against you.

"Given under my hand as Clerk of said Court this ..... day of ....., 19 .....

.....

Clerk ..... Circuit Court."

After making the publications required, and mailing the notices to property owners, the Clerk shall certify fully to the Court his action in the premises and the notice so given by the publications aforesaid and mailing as aforesaid, shall be treated as the process in the case as to all such defendants, and the certificate of the clerk as aforesaid as a due return on said process, and all persons so notified shall be treated as before the Court for all purposes of the case, and shall make defense thereto within twenty days after the last publication of the notice.

§ 8. After the report of the viewers and appraisers has been filed, stating the value of the property taken and the damage to each piece of property, it shall be the duty of each owner of property objecting to the report as to his property, to file exceptions on or before the date allowed by the Court for excepting, and it shall be the duty of the City objecting to the report as to specific property, to file objections as to such

specific property on or before the date allowed by the Court for excepting. If no exceptions shall be filed by the property owner or the City as to any specific property within the time allowed by the Court, then the Court shall confirm said report as to the property to which no exceptions have been filed, and enter judgment thereon as to all owners not excepting, and upon the City paying into Court or to the property owner the amount of the value and the damages ascertained by the report, the City may immediately take possession of said property. The exceptions, whether filed by the City or the property owner, may raise any question of law that could be raised upon a demurrer or pleading, or make any issue or issues of fact that could be made by any pleading. If exceptions shall be filed, the Court shall set the exceptions for an early hearing. The court shall be authorized to summon a jury of free-holders to ascertain the value of the property taken and the damages, unless the property owner and the City waive a trial by jury, in which event the Court may try the issues. Upon the hearing either by the Court or the Jury. the parties may introduce any evidence, oral or written, that could be introduced upon the trial of any ordinary or equitable action and subject to the rules of evidence. The Court, in entering judgment, may make any and all orders, proper or appropriate, to do justice and equity to all parties interested or concerned in the matters involved. Such property owner, or the City, aggrieved by the judgment of the Court or verdict of the Jury may, within thirty (30) days after judgment has become final, unless the time be extended by the Court, take and perfect an appeal to the Court of Appeals in the manner now provided by law for appeals. Such appeal shall be at once docketed in the Court of Appeals and shall be advanced for immediate hearing and submission. The Court of Appeals shall make proper rules and orders as to arguments and briefs, applicable to cases brought before it under this Act, and advanced as above prescribed.

Upon the ascertainment of the value of the property taken, and the damages, either by the Court or Jury, the City may pay the amount so ascertained into Court or to the owner or owners of the property, and take possession of the property, but such payment shall not prevent an appeal by either party, and if by such appeal, the value of the property taken and the damages to defendant's property is increased, the City shall be required to pay the amount of such increase.

After the report of the viewers and appraisers has been filed, stating the amount of benefit to each piece of property, it shall be the duty of each owner of property, objecting to the report as to his property, to file exceptions on or before the date allowed by the Court for excepting, and it shall be the duty of the city objecting to the report as to the amount of benefit allotted against specific property, to file objections as to such specific property, on or before the date allowed by the Court for excepting. If no exceptions shall be filed to the benefit allowed against any specific property, the Court shall confirm said report as to the property to which no exceptions have been filed, and may enter judgment thereon against all owners not excepting. Upon the exceptions being filed, the court shall fix a date for hearing such exceptions and shall hear them de novo upon transcript of the evidence presented before the viewers and appraisers or upon affidavits or oral testimony, depositions, or such method of hearing and presenting of evidence as the Court may determine best. The Court, in entering final judgment, may redefine the benefited district, and may make any and all proper and appropriate judgment, or orders to work out justice and equity to all parties interested and concerned in the matters involved. The City, if dissatisfied with the judgment of the Court as to the benefits allowed or refused against any specific piece of property, or the owner of any specific piece of property who has excepted to the benefits allowed against his property, and who is dissatisfied with the judgment of the Court, may take an appeal in the same

time and manner as allowed appeals hereinbefore on the ascertainment of damages to property. If, in deciding exceptions, either by the Circuit Court or the Court of Appeals, a decision should be rendered, or judgment entered, which makes inequitable the allocation of the amount of benefit made by the viewers and appraisers, either as to specific property contained in the benefited district or as to the whole district, or boundaries of the district, the Court may set aside any order and judgment thereon, confirming the report of the viewers and appraisers to the extent that may be necessary to correct any inequality of benefit allowed, either against the specific property in the district or against the entire district, and may enter judgment and make such orders as may be necessary to make all property benefited bear its proper amount of benefit in view of such decision, and if such error or errors in allocating benefits against any specific property cannot be corrected without the reascertainment of benefits or redefining the district, it may set aside the entire report and have such redefining of the district and reallotment made by the viewers and appraisers, or may appoint new viewers and appraisers and have an entire new redefining of the district and reallocation of benefits, but the Court shall go no further than is necessary to make each piece of property in the benefited area or district bear its proper proportion of benefit, and to the end that no other property may be unduly burdened.

§ 9. Each report of the viewers and appraisers shall be filed in open court, at a joint session day, and after being regularly docketed and at said time, the Court shall enter an order laying each report over for exceptions to a fixed day, the report as to damages shall be laid over for exceptions not earlier than twenty (20) days thereafter, and the report as to benefits not earlier than sixty (60) days thereafter. Either time may be extended by the Court for cause; within thirty (30) days after the filing of the viewers' report, the clerk of

the Court shall have completed the giving of the notice and the making of his certificate thereon. If, for any reason, he should fail to complete same, within the time herein allowed, the Court shall, by order, extend the time for exceptions to the report of benefits to such date as assures to those notified twenty (20) days of time intervening between the last date of the publication or other actual notification and the last date of filing exceptions to said report.

§ 10. To facilitate Jury trials, the Court may send the parties and witnesses to any of the common law Courts for immediate trial; to facilitate appeals, the party objecting to the decision of the Court, or the verdict of a Jury, shall, within three judicial days after the day of trial, file with the Court, an assignment of the errors complained of. The Court shall examine same and if convinced that an error has been committed, a new trial may be granted and the case set for an early date. If the Court finds no error, then he shall grant an appeal to the Court of Appeals, and it shall only be necessary to take to the Court of Appeals such parts of the record as applies to the errors complained of—otherwise than stated herein, the procedure in the entire case shall be governed by the Code of Civil Practice.

§ 11. After the institution of any action under this Act, the City may, from time to time, file therein any additional or supplemental petition that may be necessary pursuant to and in conformity with any ordinance or ordinances that have been duly recommended by the City Planning and Zoning Commission, and the Director of Works, and passed by the legislative body for amendment of the public use, improvement or work defined, designated or proposed by the prior ordinances under which the action was instituted, and this may be done whether the same be an amendment to increase or decrease, or otherwise alter the taking or damaging of any properties or estates therein previously affected, or an amendment or omission of any such properties or estates or for the

addition of any properties or estates not theretofore affected, or to increase or add to the burdens for public use; as to all new parties introduced by such amended and supplemental petitions, process shall be issued and served as heretofore specified in this Act, and the Court or Judge shall make such orders in the cause as may be appropriate to the status of the case by reason of such amendment of the public improvements.

§ 12. In all suits brought under this Act, the viewers and appraisers appointed by the Court shall, upon order of the Judge, file partial reports covering their fixing of value of property proposed to be taken and the assessment of damages or of benefits, or of both, up to the time when such reports may be filed, and at any time after such report shall have been filed, as aforesaid, and confirmed, the City may pay into Court the value of property taken and the amount of damages assessed, and upon doing so, it shall be entitled to take possession of the property. Such partial reports shall be embodied in the final report made by the viewers and appraisers. Such reports are to be filed at a joint session day of the Court, after the case has been regularly set upon the docket for calling; at which day the Court may fix the time for filing exceptions thereto.

§ 13. The costs of this proceeding shall be paid by the City, except where exceptions are filed and a contest had, either in the Circuit Court or the Court of Appeals, the costs due to such contest shall be adjudged against the unsuccessful party or as the Court may direct. The Court shall make a reasonable allowance to the viewers and appraisers for their services and expenses and to the Clerk of the Court for any services not covered by the Statute, fixing the Clerk's fees. Where fixed by Statute, the fees of all services are to be so fixed.

§ 14. The procedure outlined herein is not to be construed technically, but liberally, with a view to give to each

party the utmost protection to his rights, constitutional and otherwise, and the Court is authorized to so mold and adopt this procedure to that end.

§ 15. At any time when, within the judgment of the legislative body of such City, it is apparent that the entire improvement can be ultimately carried out and completed, and at this time a sufficient amount of land can be acquired by the City to justify the beginning of the work of improvement, or any sufficient part of it, and enough persons have been adjudged liable under the report of the viewers to reasonably pay for such work, the City may, by ordinance, direct that the work be done, and the taxing district established to that extent, and it shall not be compelled to wait until the final decision of the Court on exceptions that may have been filed either as to value of property taken or as to damages or to benefits, but it shall not take any land until it has paid for it, and it shall not assess or collect any tax for any benefit to land, until it shall have been finally decided by the Court that such land is benefited and the amount thereof, and in laying a tax in the district, the City shall advance and pay the proportion of tax that would have been paid by those contesting, if there had been no contest. When such contest has been decided, the persons so contesting shall be compelled to pay their proportion of tax to the City, with interest.

§ 16. The improvements mentioned in this Act mean not only the land acquired, but the construction and reconstruction of the street, sidewalks, gutters and every expense connected therewith, including all costs of the action. The sum of the increase in value to each piece of property as finally adjudged by the Court, represents and is the entire assessment of the value of the benefit to all of the property in said taxing district, finally adjudicated, and the legislative body of said City is authorized to levy a tax or successive taxes on said district to pay for said improvement, but in no event shall the total tax against any piece of property exceed the

amount of benefit to said property as fixed by the final judgment of Court, nor shall the total of taxes assessed against the district exceed the cost of the total improvement, as defined herein with interest thereon.

§ 17. Upon the filing of the petition, the City Attorney shall file in the Clerk's office of the County Court, a Lis Pendens, giving the caption of the suit and number thereof, and names of all defendants in full and the boundary of the proposed improvement, and the boundary of the taxing district, where the owners of property in the taxing district are named as defendants, all of which shall be a sufficient notice that the property of all the defendants in the action lying within the boundary given, is affected by the suit, and where process is by publication, and notice mailed, then after the filing of the viewers' report, he shall file in the Lis Pendens Book a copy of the notice as published by the Circuit Clerk, and this shall be a sufficient notice to everyone that the property of those named in the notice lying in the boundary of the taxing district, is affected by the suit. The County Clerk shall index in the first instance, the names of all the defendants, and in the second instance, all of those whose names appear in the notice. Upon any procedure being taken in the said action bringing in more parties to the action and involving any property of theirs it shall be the duty of the City Attorney to file a Lis Pendens notice in the Clerk's Office of the County Court in accordance with this Section.

§ 18. The provisions of Section 2839 of the Kentucky Statutes, and all amendments thereto, shall be applied to the collection of the tax levied or assessed, as herein provided for the payment of the entire improvement, including land, construction, reconstruction, and all other costs and expenses, including the costs of the action.

§ 19. The City shall have power to purchase, without condemnation, any part or all of the property, or any interest therein, or business thereon, that would require condemnation of any person whose property is sought to be taken for the

making of the improvement. In the event the City shall purchase more property than required for the improvement, the viewers and appraisers shall appraise for value and damages, that portion taken for the improvement, and same shall be paid to the City, as other property owners are paid, and the remaining portion shall be assessed against the City as against any other property holder in the taxing district, such assessment shall constitute a lien at the same time, as provided for a lien on other property in the taxing district, and shall run with the land until paid. The City may sell and convey any excess property that it may acquire.

§ 20. In order to pay for the land purchased or condemned, and damages, and to get immediate possession thereof, the City may issue, and sell or pledge preliminary bonds secured by lien on the assessment of the taxing district, based on the cost of the land and damages, as reported by the viewers and appraisers, and the cost of the construction and reconstruction, as based on an estimate of the City Engineer, but not to exceed the total of the cost of said land, and thirty per cent of the estimated cost of construction. Said preliminary bonds to be exchanged for the permanent bonds issued under Section 2839, Kentucky Statutes, after the cost of the entire improvement, both land and construction has been completed.

§ 21. It shall be the duty of the City Engineer, if called upon by the viewers and appraisers, or the Court to do so, to furnish them with an estimate of the construction cost of the entire improvement.

§ 22. The City may pay any portion of the improvement that the legislative body may see fit, and the City may advance out of any funds that the legislative body may appropriate for that purpose, money for the improvement, and receive the same back when the taxes and assessments are collected against the benefited district, or out of the proceeds of the sale of bonds, as provided by Section 2839, Kentucky Statutes.

§ 23. No bonds issued under this Act shall constitute a debt against the City, but the holder of said bonds, if the official charged with the duty of collecting same, shall fail to do so, may either sue on the same in their own right or mandamus, the officials of the City charged with the duty to collect same.

§ 24. The legislative body of the City may, at any time after the passage of the original ordinance by another ordinance or ordinances recommended by the City Planning and Zoning Commission, and the Director of Public Works, amend the public use, improvement of work defined, designated or proposed by the original ordinance, whether the same be to increase or decrease or otherwise alter the taking or damaging of any properties or estates affected by said previous ordinance, or to amend the omission of any such properties or estates, or for the addition of any properties or estates not theretofore affected or change, increase, or make addition to any of the burdens for public use, and this shall apply to either the taking of land, property or to the taxing district, or to any change that may be necessary in the work of construction or reconstruction, or any additions thereto.

§ 25. The City shall have a lien prior to all other liens, excepting the liens only of general, state, county, and city taxes, against each piece of property within the taxing district, for all the taxes that may be adjudged against the same, from the date said Lis Pendens notice is filed in the County Clerk. After the costs of the entire improvement, including property, land and construction have been definitely ascertained, the City shall cause to be made, an apportionment based on the benefit adjudged by the Court on each piece of property in said district for its proportionate share, after which, the City shall have a lien for the specific amount of such apportionment against each piece of property, which lien shall include interest on said amount at the rate of six per cent. (6%) per annum, from the date of such apportion-

ment until paid. Any property owner at any time thereafter, desiring to relieve his property from further payment of interest, may pay the amount of said lien, or any balance that may remain on said lien, with interest to date of such payment, and the City shall make due release of the lien against his property.

§ 26. When the apportionment in the preceding section has been made, the same shall be entered upon a special book kept for that purpose in the office of the Director of Finance, and shall contain the name of the owner, date of the apportionment, sufficient description of the property to identify it, and a space for the release of the lien, when paid. If payment shall be divided in annual installments, there shall be space to show the date of payment of each installment. The officer or contractor collecting same shall certify same to the Director of Finance, who shall cause same to be entered up said book, or any person holding a receipt for such payment can produce said receipt to the Director of Finance, and have same entered upon said book.

§ 27. The City, at any time prior to final judgment in the suit, may repeal any ordinance provided for under this Act, and may dismiss without prejudice, any suit brought under said ordinance, and thereafter the City may enact any new ordinance and file any new suit that it may deem proper.

§ 28. This act shall be treated as in no wise exclusive or as repealing any of the Statutes authorizing street improvements, or the assessment or collection of costs of same, but its provisions shall be treated as optional and supplementary only.

§ 29. If any section or any provision of this Act shall be held unconstitutional, it shall not affect the validity of the Act, as a whole, or any other section or provision thereof.

§ 30. This Act shall be liberally construed.

§ 31. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Gnau moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred to Committee on Rules, as follows:

By Mr. Denny P. Smith:

H. B. 758. An Act to amend and re-enact Section 579 of Carroll's Kentucky Statutes, 1922 Edition, and authorize the establishment of Branch Banks.

By Same:

H. B. 579. An Act to provide an application and inspection for the writing of farm fire, tornado and hail insurance, prescribing the information to be used in making of the form by the Insurance Commissioner of the State of Kentucky; giving definition of farm property and fixing penalties for the violation of the Act.

By Mr. Elmer J. Terry:

H. B. 760. An Act to establish as a part of the Primary Road System of the State of Kentucky a road leading from a point where the Haddix bridge connects with the Jackson-Hazard Highway in Breathitt.

By Mr. Randell:

H. B. 761. An Act establishing as a part of the primary system of state highways, a road from a point near the Mark Post Office, Pulaski County, to London, Laurel County.

By Same:

H. B. 762. An Act establishing as a part of the primary system of state highways, a road from Somerset, Pulaski County to Mt. Vernon, Rockcastle County.

Mr. Dorman of the Committee on Rules, reported bills of the following titles, viz.:

S. B. 344. An Act to fix and regulate the time of holding the terms of Circuit Court in the 29th Judicial District.

S. B. 337. An Act relating to the office of Assistant Secretary of State.

S. B. 380. An Act establishing as a part of the primary system of State Highways a road in Franklin County.

S. B. 308. An Act to amend and re-enact Sec. 2290a, Chapter 74a, of Carroll's Kentucky Statutes.

S. B. 231. An Act regulating the transportation by motor vehicle of all officers and employees of the State of Kentucky, excluding the Governor and Lieutenant Governor.

H. B. 719. An Act to authorize the Governor to receive as trustee for the Secretary of War of the United States and distribute as trustee according to his judgment certain "Other Funds."

H. B. 432. An Act amending and re-enacting secs. 14, 17, 33 and 37 of Chapter 112 of the Acts of the General Assembly of 1918.

H. B. 740. An Act concerning and providing for the closing, discontinuing, and condemning of streets.

H. B. 741. An Act to amend and re-enact Sec. 3012 of Carroll's Kentucky Statutes, Baldwin's Edition 1922.

H. B. 690. An Act providing for the reimbursement of the City of Lexington for the construction of a concrete street in from the Eastern Kentucky State Hospital.

H. B. 514. An Act to repeal, amend and re-enact Sec. 4346a-1, relating to width of tires on vehicles.

H. B. 720. An Act authorizing the fiscal courts of counties having cities of the second class therein to employ a zoning engineer and fixing his compensation.

H. B. 753. An Act relating to motor vehicles, providing for the repeal, amending and re-enactment of subsec. (b) of Sec. 2739g-2, Carroll's Kentucky Statutes.

H. B. 614. An Act amending Sec. 2739g-30, Kentucky Statutes being section 30 of Chapter 112 of the Acts of 1926.

H. B. 320. An Act relating to loan companies and license tax to be paid.

S. B. 371. An Act to authorize cities of the second class to enter into contracts with persons firms and corporations for the ownership and operations thereby of bridges etc.

H. Res. 46. Resolution providing for furnishing Kentucky Directories.

With the expression of opinion that said bills ought to pass.

Said bills were severaly read at length the first time and ordered to be placed in the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 389. An Act to amend Sec. 2326 of Carroll's Kentucky Statutes relating to the termination of a tenancy and one month's notice.

H. B. 583. An Act to amend Sec. 3469a-1 of Carroll's Kentucky Statutes relating to bond issue for school purposes in cities of the third class and providing for popular elections and the use of the proceeds and a tax levy to pay.

H. B. 584. An Act conferring authority to add suburban territory to the board of education of third class city's jurisdiction and for the purpose of paying the expenses.

S. B. 204. An Act to amend Sections 3, 4, 4a, 9, 10, 11, 12, 16, 18, 20, 21, 23, 33, 39, 40, 42, 42b, 43, 51, 52, 53, 63, 64 and 75 of an Act entitled "An Act to provide for an Elective System of Workmen's Compensation for Industrial Accidents.

H. B. 675. An Act to provide for building a monument on Big Hill in Butler County near Pipes Springs in memory of Granville Allen.

H. B. 684. An Act amending, repealing and re-enacting Sec. 3828-2, Kentucky Statutes, Carroll's 1922 Edition, being an Act concerning the parole of convicts.

H. B. 729. An Act providing that all educational institutions which do junior college work and educational work above that standard, etc.

H. B. 603. An Act amending Chapter 31 of the Acts of the General Assembly of 1920, relating to the practice of Optometry and providing for a renewal registration fee.

H. B. 433. An Act regulating the time for a six-year-old child to enter school.

H. B. 387. An Act to amend Sec. 1216 Kentucky Statutes, and re-enacting same as amended.

S. B. 96. An Act to dispense with administration of the estates of deceased persons in certain cases.

S. B. 91. An Act concerning estates not exceeding one hundred dollars of persons under disability to permit payment to those having custody of such persons.

S. B. 90. An Act to amend Section 20 and 25 of an Act entitled "An Act concerning Guardians."

H. B. 619. An Act empowering the insurance Commissioner of the State of Kentucky to suspend or revoke for a cause the license of an agent of a life insurance company.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 729. An Act providing that all educational institutions which do junior college work and educational work above that standard, which institutions are supported in whole or in part by the public funds of the Commonwealth, shall own and operate book stores at which students in such educational institutions may purchase books, maps, charts

and all other articles necessary for use in their course of study at cost, carriage, plus ten per cent profits for disbursement of such books, and with an emergency clause.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all educational institutions, supported in whole or in part by the public funds of the Commonwealth of Kentucky, shall own and operate books stores at which students may buy books, maps, charts and other articles necessary for such students to use in their course of study at cost, carriage and ten per cent profit for the purpose of paying the expenses of maintaining the store and selling such books and articles.

§ 2. Some of the educational institutions which do junior college work and some which do college work higher than junior college work, do not own book stores at which books, maps, charts and other articles necessary for students to use in their course of study, and the students have to buy such books and materials at exhorbitant prices, and this Act would be a great saving to the students in such institutions, and for this reason an emergency is declared to exist, and this Act shall become a law upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	Clarence Miller
E. S. Allison	J. O. Evans	M. F. Moore
U. G. Anderson	Joseph B. Everhart	B. T. Morris
William B. Ardery	Kelly J. Francis	H. L. Nickell
W. O. Baxter	John B. Furlong	Fred A. Nolte
S. A. Blackburn	Ralph Gilbert	Caleb A. Page
D. C. Bradley	F. A. Gnau	Curtis F. Park
T. L. Britton	L. B. Hamilton	J. D. Patton
John Young Brown	H. G. Handmaker	James I. Peters
J. Watt Brown	Robt. L. Horn	John H. Pickett
John R. Buckman	R. L. Jackson	Dorsey Ratliff
Dr. R. A. Byers	Grover C. Johnson	Denny P. Smith
Lee Clark	J. R. Johnston	D. O. Stanley
Bradley Combs	M. F. Jordan	Frank L. Strange
W. W. Cooper	A. R. Kincheloe	J. A. Thompson
Ben L. Cox	John B. Klefot	Thomas H. Troxel
H. G. Crabtree	Frank LeBus	C. B. Truesdell
G. Cunningham	Martin Light	H. Speed Tye
William J. Curtis	H. R. Marquette	J. D. Via
J. J. Davis	B. K. Marshall, Jr.	L. M. Weathers
Winn Davis	Joseph Martin	G. W. Wigginton
James R. Dorman	Geo. R. McIntosh	Robert Williams
C. B. Dowling	T. R. McRoberts	
W. C. Dugan	Henry Meiman	—70

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 237. An Act authorizing the filing of notices of liens for taxes payable to the United States of America, and certificates discharging such liens, and fixing the clerk's fee for filing and discharging such liens.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That notices of liens for taxes payable to the United States of America, and certificates discharging such liens, shall be filed by the collector of internal revenue, in duplicate, in the office of the county clerk of the county or counties in the State within which the property subject to such lien is situated.

§ 2. When a notice of such tax lien is filed, the county clerk shall forthwith enter the same in an alphabetical Federal Tax Lien Index, showing on one line the name and residence of the taxpayer named in such notice, the collector's serial number of such notice, the date and hour of filing, and the amount of tax and penalties. He shall endorse on both the original and duplicate copies of the notice the date and hour of filing and shall mail the duplicate to the collector of internal revenue from whom received. The county clerk shall file and keep all original notices so filed, in numerical order, in a file or files designated "Federal Tax Lien Notices."

§ 3. When a certificate of discharge of any tax lien issued by the collector of internal revenue is filed in the office of the county clerk where the original notice of said lien is filed, said county clerk shall enter the same, with the date of filing, in the said Federal Tax Lien Index, on the same line where the notice of the lien so discharged is entered and shall permanently attach the original certificate of discharge to the original notice of lien. He shall mail the duplicate to the collector of internal revenue from whom received.

§ 4. Said Federal Tax Lien Index, and file or files for

said Federal tax lien notices, shall be furnished to the county clerk of each county in the State in the manner now provided by law for the furnishing of books in which deeds are recorded.

§ 5. The county clerk shall be entitled to receive from the collector of internal revenue a fee of fifty cents for each notice of tax so filed and a like fee for each lien discharged.

§ 6. This Act is passed for the purpose of authorizing the filing of notice of liens, in accordance with the provision of Section Three Thousand One Hundred and Eighty-six of the Revised Statutes of the United States as Amended.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Leonard Cook	Joseph B. Everhart
U. G. Anderson	W. W. Cooper	Kelly J. Francis
William B. Ardery	Ben L. Cox	John B. Furlong
W. O. Baxter	H. G. Crabtree	Ralph Gilbert
S. A. Blackburn	G. Cunningham	F. A. Gnau
D. C. Bradley	William J. Curtis	L. B. Hamilton
T. L. Britton	J. J. Davis	H. G. Handmaker
J. Watt Brown	Winn Davis	Robt. L. Horn
John R. Buckman	James R. Dorman	Grover C. Johnson
Dr. R. A. Byers	S. J. Douthitt	J. R. Johnston
James A. Campbell	C. B. Dowling	M. F. Jordan
Lee Clark	W. C. Dugan	A. R. Kincheloe
Bradley Combs	William A. Eimer	Frank LeBus
Elmer Cook	J. O. Evans	Martin Light

H. R. Marquette	H. L. Nickell	D. O. Stanley
B. K. Marshall, Jr.	Fred A. Nolte	J. A. Thompson
Joseph Martin	Caleb A. Page	Thomas H. Troxel
Geo. R. McIntosh	Curtis F. Park	Dr. Vallandingham
T. R. McRoberts	James I. Peters	J. D. Via
Henry Meiman	John H. Pickett	L. M. Weathers
Clarence Miller	W. E. Randall	G. W. Wigginton
M. F. Moore	Dorsey Ratliff	
B. T. Morris	Denny P. Smith	—67

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 33. Resolution providing for the payment of money to Mrs. Alice Allnut and Mrs. Ollie Brightwell for extra services in caring for the offices in the State Capitol Building during the present session of the General Assembly.

Said resolution is as follows, viz.:

Whereas, Mrs. Alice Allnut and Mrs. Ollie Brightwell have been required to perform overtime service and extra service because of the present session of the General Assembly now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That said employees mentioned in the preamble are each hereby allowed the sum of $1 per day for each day of the

present session of the General Assembly, which allowance shall be in addition to what they now receive for the services. The same to be paid out of any funds in the treasury not otherwise appropriated by the warrants of the Auditor.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	Fred A. Nolte
U. G. Anderson	J. O. Evans	Caleb A. Page
W. O. Baxter	Joseph B. Everhart	J. D. Patton
S. A. Blackburn	Kelly J. Francis	James I. Peters
D. C. Bradley	John B. Furlong	John H. Pickett
T. L. Britton	Ralph Gilbert	John W. Preston
John R. Buckman	L. B. Hamilton	W. E. Randall
Dr. R. A. Byers	H. G. Handmaker	Dorsey Ratliff
James A. Campbell	Grover C. Johnson	Denny P. Smith
Bradley Combs	J. R. Johnston	D. O. Stanley
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	A. R. Kincheloe	Elmer J. Terry
Ben L. Cox	John B. Klefot	J. A. Thompson
H. G. Crabtree	Frank LeBus	Thomas H. Troxel
William J. Curtis	Martin Light	C. B. Truesdell
J. J. Davis	B. K. Marshall, Jr.	Dr. Vallandingham
Winn Davis	Joseph Martin	J. D. Via
James R. Dorman	Geo. R. McIntosh	L. M. Weathers
S. J. Douthitt	B. T. Morris	G. W. Wigginton
C. B. Dowling	H. L. Nickell	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 325. An Act to repeal and re-enact Sec. 1059 Kentucky Statutes, relating to the appointment of a county judge protem.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That section 1059, Kentucky Statutes, Carroll's 1922 Edition, be and the same is hereby repealed, and there is enacted in lieu thereof the following section:

Section 1059. The county judge may by an order entered on the order book of the county court appoint and designate a county judge pro tem., who shall serve at the pleasure of the county judge. Said county judge pro tem. shall possess all the qualifications required by law of the regular judge, and the regular judge shall be liabe upon his official bond for the actions of the appointee. Said county judge pro tem., shall, when the county judge is absent from his office, or for any reason is unable to perform the duties of his office, perform any and all duties imposed by law upon the regular county judge: Provided, however that when either party to any action, motion, application, prosecution or proceeding pending before the county judge, shall file with the clerk of the county court his affidavit that the judge will not afford him a fair and impar-

tial trial, the parties by agreement, may elect a duly qualified person to preside on the trial or hear the application or hold the court for all occasions; and if any of the parties to said action, proceeding, or prosecution be or are non-resident defendants, who have not entered their appearance, nor have been summoned, or are infant defendants, the attorney appointed to defend for such non-resident or guardian ad litem for such infants, may agree with the other parties to such action, proceeding or prosecution upon a person having all the qualifications of a county judge, to try such action, proceeding or prosecution, provided that if no agreement can be reached then a duly qualified person shall be elected by the members of the bar present and not interested in the cause being heard.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. W. Cooper	John B. Furlong
U. G. Anderson	Ben L. Cox	L. B. Hamilton
William B. Ardery	H. G. Crabtree	H. G. Handmaker
W. O. Baxter	William J. Curtis	Grover C. Johnson
S. A. Blackburn	Winn Davis	Theron M. Johnson
D. C. Bradley	S. J. Douthitt	J. R. Johnston
T. L. Britton	C. B. Dowling	M. F. Jordan
J. Watt Brown	W. C. Dugan	A. R. Kincheloe
John R. Buckman	William A. Eimer	John B. Klefot
James A. Campbell	Joseph B. Everhart	Frank LeBus
Lee Clark	Kelly J. Francis	Martin Light

H. R. Marquette	James I. Peters	Speed H. Tye
B. K. Marshall, Jr.	John H. Pickett	Dr. Vallandingham
Joseph Martin	Denny P. Smith	L. M. Weathers
Henry Meiman	D. O. Stanley	G. W. Wigginton
H. L. Nickell	H. L. Taylor	Robert Williams
Caleb A. Page	Elmer J. Terry	
J. D. Patton	C. B. Truesdell	—52

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a resolution which originated in this House, entitled:

H. Res. 9. Resolution authorizing Elizabeth R. Hawkins personal representatives of W. S. Farmer, etc.

Ordered that said resolution be delivered to the Enrolling Clerk of the House.

Ordered that H. B. 379 be recommitted to Committee on Rules.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills and resolutions of the following titles, viz.:

S. B. 41. An Act permitting a transfer of any tax claim held by the Commonwealth of Kentucky or any county, municipality, or taxing district thereof.

S. B. 48. An Act to amend Sec. 158 of Constitution so as

to authorize school districts including in their boundaries cities of the first five classes to incur indebtedness.

S. B. 52. An Act for the furtherance of forest fire protection.

S. B. 63. An Act creating a State Board of Examiners and registration of Architects.

S. B. 94. An Act repealing and re-enacting Chapter 28 of General Assembly of 1928, and providing that all circuit courts, other than those of continuous session, etc.

S. B. 115. An Act regulating the time for the closed season for fishing in the public waters of this Commonwealth.

S. B. 138. An Act amending Sec. 3766e-1, etc.

S. B. 166. An Act to amend and re-enact Chapter 133 of the Acts of 1926 which is an Act to authorize cities of 2nd and 3rd classes to acquire water works.

S. B. 240. An Act relating to fees of jailers, amending subsec. 1 of sec. 356-1.

S. B. 3. An Act relating to Clerk, Deputy Clerk and stenographer of fiscal courts.

S. Res. 7. Resolution authorizing Chas. W. Caldwell to sue the Commonwealth.

S. Res. 23. Resolution providing for the purchase of copies of Legislative Digest.

H. B. 158. An Act creating the office of stenographer to the county attorney in certain counties.

H. B. 111. An Act to restrain unfair competition of chain stores, and in aid of individual merchants in the Commonwealth.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that the bills and resolutions which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of the House deliver the bills which originated in this House to the Senate.

After a time the Enrolling Clerk of this House delivered the original and enrolled copies of the said bills which originated in this House, duly signed by the President of the Senate into the possession of the Chief Clerk.

Ordered that the Chief Clerk of this House deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 414. An Act to repeal, and re-enact Secs. 1468, 1472, 1481, 1428 and 1483, Carroll's Kentucky Stas., 1922 edition, and to enact Sec. 1483a, relating to ballot boxes, the adoption of a uniform ballot box, and empowering the state election commission to adopt said uniform ballot box for all of the

precincts in this Commonwealth; also prescribing the duties of the county clerk in regard to procuring ballot boxes and the delivery of same to the clerks of the precinct election board and other duties relating thereto; providing the way and manner of depositing ballots in the boxes by the voter; providing a penalty where the officers of election fail to perform their duties or violate the election laws; changing the law in regard to closing the polls and providing that where voters are at the polls and unable to cast their votes by 4 o'clock p. m., that the polls may remain open not more than thirty minutes thereafter, if necessary, for such voters to cast their votes; providing that all ballot boxes of the entire county used in the election be delivered to the county clerk and by him to be carefully guarded until the county election commissioners meet on the day following the election to count and certify the results of said election.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1468 Kentucky Statutes, Carroll's 1922 edition, be and the same is hereby repealed and re-enacted, so that said section, when so repealed and re-enacted, shall read as follows:

It shall be the duty of the county clerk of each county, or the officer acting for him, when, for any cause, the clerk cannot act, to provide for each precinct of such county, at the expense of the county, to be allowed by the fiscal court, thereof, upon the order of the county court, a strong, durable, well constructed metal or steel ballot box, sufficiently large to contain all the ballots to be voted at any precinct at any general or primary election.

Such ballot box shall have a lid or appropriate opening, large enough to put in and take out, any necessary election material for the conduct of said election and said lid shall be securely fastened on said box by strong metal hinges. Said box and said lid shall be so constructed as to provide room

for three strong yale padlocks, to fasten and lock said lid, so that the keys of one lock will not unlock either of the other two. A vent or apperture, sufficient only for the insertion of a single ballot, shall be made in each box lid, and a small lid fastened to said box lid, so that a fourth lock can be put on the small lid to close the ballot vent or apperture in said box lid.

Such box shall, not less than one day before the day of election, be delivered by the clerk, or other person acting for him, to the clerk of each precinct election board, and shall take receipt therefor. The election officers of such precinct shall, before permitting anyone to vote, carefully examine said ballot box, to ascertain whether it contains any papers, ballots or other things, and if anything is found in said box, the officers delivering said box back to the county clerk, as provided herein, shall report the same, to said county clerk. The ballot box shall be, by the county clerk, provided with three different combination strong yale padlocks, and each and all of said locks, shall by the county clerk, be securely locked before the ballot box leaves the said clerk's office to be sent out to the said voting precinct, and each key delivered, one to the sheriff of the county, and the other two to each of the county election commissioners representing the two dominant political parties.

Such ballot box shall not be unlocked or in any manner tampered with, by any person after the same is locked by the county clerk, until the meeting of the county election commission, for the purpose of counting the ballots of all precincts in such county, and certifying the returns as herein provided.

§ 2. That Section 1472 of Kentucky Statutes, Carroll's 1922 edition, be and the same is hereby repealed and re-enacted, so that said Section when so repealed and re-enacted shall read as follows:

Before marking such ballot, the voter shall be careful to examine the same to ascertain if the facsimile of the signature of the county clerk and the signature of the clerk of elec-

tion, shows upon such ballot. After marking such ballot, as herein provided, the voter shall, after detaching the secondary stub deposit such ballot in the ballot box, and it shall be unlawful for any election officer, after such ballot has been delivered to such voter, to look or attempt to look at, or have in his possession, or handle any ballot contrary to law or in any manner whatsoever, except that such voter be a blind or disabled person and cannot mark and deposit his ballot; provided, that failure of the voter to detach the secondary stub, shall not invalidate his ballot. Each voter shall mark his ballot without undue delay and shall not occupy a booth when occupied by another and shall leave the booth and the room when the ballot is marked and deposited by him in said ballot box. Voters shall not occupy any booth more than three minutes when others are waiting to vote. No voter shall be permitted to electioneer or converse with others while in the voting room concerning their support or non-support of any candidate, party or issue to be voted on except as herein provided. No one shall be permitted in the voting room, except for the purpose of voting, while the officers are holding the election. Election officers will see that this provision is observed. No election officer, shall be permitted, while any voter is voting to go closer than fifteen feet of any election booth, except to provide election utensils and not closer than fifteen feet of the ballot box, which shall be stationed and placed near the voting booth, but in plain view of the election officers, except to aid and assist blind or disabled voters in depositing their ballots, and any violation of this provision, shall be deemed a high misdemeanor and upon conviction therefor, such person shall be fined not less than five hundred dollars nor more than one thousand dollars or may be imprisoned in the county jail not to exceed six months, or both so fined and imprisoned in the discretion of the jury.

§ 3. That Section 1481 of Kentucky Statutes, Carroll's 1922 edition, be and the same is hereby repealed and re-en-

acted, so that said Section when so repealed and re-enacted shall read as follows:

The county executive committee of any political party, having a ticket to elect or list of candidates to be nominated at any general or primary election may designate, not more than two challengers or inspectors to be present at and witness the holding of said general or primary election, in each precinct in said county.

§ 4. That Section 1482 of Kentucky Statutes, Carroll's 1922 edition, be and the same is hereby repealed and re-enacted, so that said Section when so repealed and re-enacted shall read as follows:

When the hour for closing the polls shall arrive, any voter or voters, then and there present or near the polls and desiring to vote, the officers of the election shall permit such voter or voters to vote, and shall for that purpose, extend the time, not exceeding thirty minutes, or until all such voters have voted. After all voters have voted, and the time to close has arrived, the officers shall announce the same at the door of the voting room and close the polls. They shall then go and take charge of the ballot box, at the booth, and in the presence of each other shall place the lock on the small vent lid and securely lock it, and return the key to the county clerk. Said election officers shall then stamp upon all unused stubs and ballots, with rubber stamp or by writing on the stub and the ballot attached thereto, the word "unused" and place said stub or ballot book and all other utensils or election material into a linen envelope, to be provided by the county clerk for that purpose, and shall seal with sealing wax across the seal of the envelope and place the county election seal upon said wax, so as to make the letters plainly visible in three different places on said envelope, and each officer shall write his name across said sealed portion of said envelope. The officers of election shall immediately deliver the ballot box and the envelope containing the unused ballots to the county clerk. The judge and the sheriff of election, of opposite

political faith, shall forthwith convey said ballot box and envelope to the county clerk's office, taking his receipt therefor. Said officers shall see that no person other than themselves has access to, or custody of, said ballot box, and they shall each remain in the presence of the other, until said box and envelope are delivered to the county clerk.

The ballot box shall remain locked, from the time it leaves the county clerk's office and is returned to said office, and until the county election commissioners shall unlock the same for the purpose of counting the ballots as herein provided.

The county court clerk, upon reciving said ballot box and envelope from the election officers shall receipt for the same and shall place said ballot boxes and envelopes in a secure and substantial place and shall keep a sufficient guard over said boxes and envelopes in a careful and painstaking manner until all the ballots have been counted by the election commissioners and those acting with them. Provided, that the chairman of each of the two dominant political parties, shall have the right, and each candidate to be voted for at any election may designate one or more persons to assist the county clerk and other guards, to guard the safety of the ballots in said clerk's office. The county clerk shall assist the county election commission, and shall act as its clerk, in the counting and certifying of the ballots and the results of said election, for which he shall receive compensation to be allowed by the fiscal court.

The county election commission, for the purpose of counting the ballots and issuing certificates and making reports, shall meet on the first week-day after any primary or general election at 10 o'clock on said day in the office of the county clerk, and proceed as speedily as practical, to count the ballots of every precinct in such county and at the finish of each and every precinct they shall announce the result at the door of the clerk's office and they shall fill out the blank in the back of the stub book provided for that purpose, and

each commissioner shall sign the same on a blank provided for that purpose.

The election commissioner is authorized to employ at county expense, such clerical help as said commission may deem necessary to make for said county, and shall remain continuously in session, until each and every precinct has been counted and the result ascertained, Sunday and legal holidays excepted. There shall be provided by the county clerk a large sheet upon which to tabulate the vote of the whole county, district or municipality, so that each candidate can ascertain the number of votes in each precinct and the total number in the election unit, cast for him. If any ballots are found mutilated, defaced, marked, or spoiled or otherwise questionable so that they are of doubtful integrity, the commission shall put all such ballots in a sealed envelope after writing on them and each of them, whether they have been counted, and for whom.

In any general or primary election held in this state or any county, district or municipality, the same procedure shall prevail and the county election commissioners shall count and certify the result in the manner herein provided.

The said election commission shall issue to successful candidates for office or nominations, their cerificates of election or nominations in all county, magisterial districts or any sub-division of any county and shall certify the result of the election in their said county, to the Secretary of State in all elections or nominations, to be made for State and district offices and nominations.

In all general elections the governing authority of each political party, and in all primary elections, each group of candidates for office, may designate to the county election commission, one representative each, to meet with the county election commission, as herein provided, and it shall be the duty of said commission to permit said representative to assist in, and witness the count of the ballot in all the precincts of such county, and each and all of such commissioners and

said representatives, so designated, shall have equal and full opportunity to inspect and count said ballots, and it shall be unlawful for any county election commission or a majority thereof, to refuse to permit said representatives to exercise full and free action in witnessing the count of said ballots and any interference with, or refusal, on the part of said election commission, or either of them, to permit said representatives, either of a political party, or of a candidate, or list of candidates, to have a free and full opportunity to witness and observe the counting of said ballots, shall be guilty of a high misdemeanor, and upon conviction thereof shall be fined not less than one thousand dollars nor more than two thousand dollars or imprisoned in the county jail not less than six months nor more than twelve months in the discretion of the jury.

The county election commission after fifteen days, provided no contest is filed in any race against any candidate, shall return the keys to said ballot boxes to the county court clerk, but if any such contest, either of nominations or elections, has been filed, said commissioners shall hold said keys subject to the orders of the court trying such contest.

This act shall govern both the conducting, holding, counting of ballots, and certifying of returns, in general and primary elections.

Nothing herein contained shall be construed to prevent the election commissioners in counties having cities of the first, second and third class from employing extra tabulators, who under their supervision and responsibility may expedite the counting of the ballots.

§ 5. That Section 1483 of Kentucky Statutes, Carroll's 1922 edition, be and the same is hereby repealed and re-enacted, so that said Section when so repealed and re-enacted shall read as follows:

The form of the return to be made on the inside of the cover of the stub-book shall be substantially as follows: State

of Kentucky, ... county, election held on the ..... day of ....., eighteen ..... in ..... precinct. Number of ballots counted as valid, ...; number of ballots questioned or rejected .....; number of ballots marked "spoiled," .....; whole number of ballots cast, ...; number of votes received for governor, ... by .....; number of votes received for lieutenant governor, ... by ..... (and so for other state and county officers); number of votes on question of .....; votes yes, ...; votes no, ...

We, the county election commissioners, counting the ballots for the precinct above mentioned, certify that the above is a correct return of the election held therein on the day aforesaid.

.....Commissioner
.....Commissioner
.....Commissioner

Any witness to the count, as provided herein, may demand from the election commissioners a duplicate certificate to be signed in like manner, and each election commissioner shall retain another duplicate, which may be used as proof in case of loss or destruction of the original; and for this purpose each representative witnessing said count shall be furnished with a certificate by the commission. When the foregoing requirements have been complied with, the election commissioners shall deliver the stub-book containing the foregoing returns, together with the undestroyed ballots, enclosed in an envelope, to the county court clerk before they seperate.

§ 6. Section 1483a. It is hereby made the duty of the state election commission to adopt and agree upon a uniform designed metal ballot box to be used in all the election precincts of this Commonwealth which shall conform to specifications set out in Section 1468 herein. It shall be the duty of said state election commission to contract for the manufacture and construction of said boxes, including locks and keys therefor, and shall notify each county clerk of the adoption and

specifications set out herein, giving him the price per box and the name and address of the contractor, where said boxes may be secured, and it shall be the duty of each county clerk to procure said boxes from said contractor in sufficient number to accommodate all the precincts in his county. The county clerk shall be the custodian of said ballot boxes and shall exercise due diligence in caring for, and preserving said boxes, locks and keys.

All laws and parts of laws in conflict with any of the foregoing Sections are hereby repealed.

Mr. Marshall offered the following Amendment to said bill, viz.:

"Amend S. B. 414 in Sec. 1, line 4 following the words 'each county' by adding the following: 'except counties having cities of the first class.' "

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	T. L. Britton	Bradley Combs
E. S. Allison	John Young Brown	Elmer Cook
William B. Ardery	J. Watt Brown	Leonard Cook
W. O. Baxter	John R. Buckman	W. W. Cooper
S. A. Blackburn	James A. Campbell	Ben L. Cox
D. C. Bradley	Lee Clark	H. G. Crabtree

G. Cunningham	J. F. Harrison	L. B. Murphy
William J. Curtis	Robt. L. Horn	M. L. Napier
Winn Davis	C. E. Houk	Andrew W. Nichols
E. C. Dennington	R. L. Jackson	H. L. Nickell
James R. Dorman	Grover C. Johnson	Fred A. Nolte
S. J. Douthitt	Theron M. Johnson	James I. Peters
C. B. Dowling	J. R. Johnston	Denny P. Smith
Thomas Dunn	M. F. Jordan	D. O. Stanley
William A. Eimer	John B. Klefot	Frank L. Strange
J. O. Evans	Frank LeBus	H. L. Taylor
Virgil Eversole	Martin Light	Elmer J. Terry
Kelly J. Francis	James A. May	J. A. Thompson
John B. Furlong	Henry Meiman	C. B. Truesdell
Ralph Gilbert	Harry J. Meyers	Dr. Vallandingham
F. A. Gnau	Clarence Miller	J. D. Via
L. B. Hamilton	M. F. Moore	J. E. Walters
H. G. Handmaker	B. T. Morris	L. M. Weathers
Rev. B. L. Hargrove	F. Tyler Munford	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	B. K. Marshall, Jr.	John W. Preston
Dr. R. A. Byers	Joseph Martin	W. E. Randall
J. J. Davis	T. R. McRoberts	Dorsey Ratliff
W. C. Dugan	Caleb A. Page	Thomas H. Troxel
Fred V. Lucas	J. D. Patton	Speed H. Tye
H. R. Marquette	John H. Pickett	J. S. Milliken, Spkr.

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules moved that the vote by which said bill was passed by reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took

up for consideration from the Orders of the Day a bill entitled:

H. B. 360. An Act providing that owners of division fences which consist of shrubbery or groups of shrubs shall properly trim same in season and providing a penalty for failure to do so.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That when a division fence consists of a growth or group of shrubs it shall be the duty of each owner of the division fence to so keep or prune such shrubbery that it will not be more than five feet in height or three feet in width; and if an owner of such division fence fails or refuses to so keep or prune such fence upon his part of the division line, then the owner of the other part of the division line may, by giving twenty days notice to the owner of such shrubbery fence, in writing, between the last day of March and the last day of October in any year, go upon the division line of such owner in fault and carefully prune the fence so that it shall not exceed five feet in height and three feet in width, and the owner of the division line who prunes a shrubbery fence of the owner of the other part of the division line, shall have a lien against the property of the owner in fault for the actual cost of pruning such division fence, and may assert his lien for the money so expended, in an action at law. But before an owner of a division fence may demand of the other owner of the division fence to keep or prune his part of the fence on the division line, the owner so complaining shall, for not less than thirty (30) days prior to giving written notice, prune such shrubbery fence on his part of the division line. If the owner of a fence on a division line does not have a shrubbery fence on his portion of the division line, then before he can

complain of the owner who has a shrubbery fence on his portion of the division line, he shall have, for at least thirty (30) days before giving notice to the party in fault, maintained a lawful fence as required by law upon his portion of the division line.

§ 2. Any person who violates this Act may be fined in any sum not less than twenty-five ($25.00) dollars, nor more than one hundred ($100.00) dollars.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	Martin Light
U. G. Anderson	William A. Eimer	H. R. Marquette
William B. Ardery	J. O. Evans	B. K. Marshall, Jr.
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Virgil Eversole	Geo. R. McIntosh
D. C. Bradley	Kelly J. Francis	Henry Meiman
T. L. Britton	John B. Furlong	M. F. Moore
John Young Brown	Ralph Gilbert	H. L. Nickell
John R. Buckman	L. B. Hamilton	Fred A. Nolte
James A. Campbell	H. G. Handmaker	Curtis F. Park
Bradley Combs	R. L. Jackson	J. D. Patton
Ben L. Cox	Grover C. Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
William J. Curtis	J. R. Johnston	Dorsey Ratliff
Winn Davis	M. F. Jordan	Denny P. Smith
James R. Dorman	A. R. Kincheloe	D. O. Stanley
S. J. Douthitt	John B. Klefot	Frank L. Strange
C. B. Dowling	Frank LeBus	H. L. Taylor

J. A. Thompson	Speed H. Tye	Robert Williams
Thomas H. Troxel	L. M. Weathers	
C. B. Truesdell	G. W. Wigginton	—61

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of twelve o'clock Meridian, having arrived, the House recessed.

AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 181. An Act to amend and re-enact Sec. 3780 Kentucky Statutes, Carroll's 1922 Edition, and Sec. 3783 Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 122 of the Acts of the General Assembly of 1926, relating to patrols and the appointment of same.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3780, Kentucky Statutes, Carroll's 1922 Edition, be amended by inserting between the word, "And," and the word, "appoint," these words, "the fiscal

court shall have the power to"; and by substituting the word, "fiscal" for the word, "county"; so that said section, when amended and re-enacted, shall read as follows: Section 3780. County courts may, once in each year, divide their respective counties into as many districts as the public peace and good order of society may require, and the fiscal court shall have the power to appoint in each district a company of patrols, to consist of one captain and not exceeding three men, to continue in service twelve months, unless removed by the fiscal court for neglect of duty or improper conduct. None but discreet and sober men shall be appointed patrols; they shall take an oath of office before a justice of the peace, faithfully, impartially and diligently to perform the duties of patrols. But patrols shall have jusisdiction co-extensive with the whole county.

§ 2. That Section 3783, Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 122 of the Acts of the General Assembly of 1926, be amended by substituting the word, "fiscal," for the word, "county"; so that said section, when amended and re-enacted, shall read as follows: Section 3783. Patrols shall each be paid by order of the county court out of the county levy, a sum not to exceed one dollar for each ten hours they may have been purposely engaged in the performance of their duties, except that in counties having cities of the first and second class, they shall be paid, not more than $1,800.00 per annum, payable in equal monthly installments out of the county levy, and the county court in such counties, having cities of the first and second class, may designate one of said county patrols as chief of the county patrolmen, who shall serve as such chief, during the pleasure of the county court, and such chief shall be paid not more than $2,100.00 per annum out of the county levy, payable in equal monthly installments. The fiscal court shall, by order, fix the amount of their salary within the limits herein provided. The county court may designate one or more of said patrols as motor

patrols, who in the discretion of the fiscal court, may be provided with motor vehicles.

At a court of claims for the county, the patrols shall present their claims for services specifying the number of hours each have been engaged and verified by the oath of the patrol upon which court shall fix the amount to be paid.

Said patrols shall have the same right and same power to arrest, search and seize and serve subpoenas, summons, and notices as is now given by law to the sheriffs of this Commonwealth, and shall be subject to the orders of the county court.

Mr. Everhart offered the following Amendment to said bill, viz.:

Amend H. B. 181 by striking out the words "first and" from line 10 of Sec. 2 thereof and strike out the word "first" wherever it may appear.

Said Amendment was agreed to.

Mr. Eimer offered the following Amendment to said bill, viz.:

Amend H. B. 181 by adding after the words "second class" in line 8 page 2 of printed bill the following words "except in counties having courts of continuous session."

Said Amendment was agreed to.

Mr. Dennington offered the following Amendment to said bill, viz.:

Amend H. B. 181 by adding in Sec. 2 line 5 of the printed bill after the word "dollar" the words "per hour."

Said Amendment was agreed to.

Mr. J. W. Brown offered the following Amendment to said bill, viz.:

Amend H. B. 181 by inserting in lieu of the words and figures "one dollar" in line 7, Section 2 the words and figures "not more than $1800 per year."

Said Amendment was disagreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Joseph B. Everhart	Geo. R. McIntosh
W. O. Baxter	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	Harry J. Meyers
T. L. Britton	F. A. Gnau	B. T. Morris
John R. Buckman	H. G. Handmaker	M. L. Napier
Lee Clark	Robt. L. Horn	Andrew W. Nichols
Bradley Combs	C. E. Houk	Fred A. Nolte
Elmer Cook	Grover C. Johnson	J. D. Patton
Leonard Cook	Theron M. Johnson	John H. Pickett
W. W. Cooper	J. R. Johnston	W. E. Randall
Ben L. Cox	A. R. Kincheloe	Dorsey Ratliff
G. Cunningham	John B. Klefot	Denny P. Smith
William J. Curtis	Frank LeBus	D. O. Stanley
Winn Davis	Martin Light	Elmer J. Terry
E. C. Dennington	H. R. Marquette	C. B. Truesdell
S. J. Douthitt	B. K. Marshall, Jr.	J. E. Walters
William A. Eimer	James A. May	G. W. Wigginton

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Those who voted in the negative were—

S. A. Blackburn	James A. Campbell	J. A. Thompson
J. Watt Brown	T. R. McRoberts	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Committee on Rules, moved that the vote by which said bill was passed he reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 726. An Act relating to the present employees of the General Assembly.

With an Amendment thereto.

(For bill see House Journal of March 5).

Said Amendments are as follows, viz.:

Amend H. B. 726 wherever the figures $3,712.00 appear, and insert in lieu thereof $3,962.00.

Amend H. B. 726 wherever the figures $4,395.00 appear and insert in lieu thereof $4,817.00.

Said Amendments were concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were--

F. B. Adcock	C. B. Dowling	Martin Light
E. S. Allison	W. C. Dugan	Fred V. Lucas
U. G. Anderson	Thomas Dunn	H. R. Marquette
W. O. Baxter	William A. Eimer	James A. May
S. A. Blackburn	J. O. Evans	T. R. McRoberts
D. C. Bradley	Joseph B. Everhart	Henry Meiman
T. L. Britton	Virgil Eversole	Harry J. Meyers
John Young Brown	Kelly J. Francis	M. F. Moore
J. Watt Brown	John B. Furlong	B. T. Morris
John R. Buckman	F. A. Gnau	F. Tyler Munford
James A. Campbell	L. B. Hamilton	H. L. Nickell
Lee Clark	H. G. Handmaker	Fred A. Nolte
Bradley Combs	Rev. B. L. Hargrove	J. D. Patton
Leonard Cock	J. F. Harrison	John H. Pickett
W. W. Cooper	Robt. L. Horn	Denny P. Smith
Ben L. Cox	C. E. Houk	D. O. Stanley
H. G. Crabtree	R. L. Jackson	Frank L. Strange
G. Cunningham	Theron M. Johnson	Elmer J. Terry
William J. Curtis	J. R. Johnston	J. D. Via
J. J. Davis	M. F. Jordan	J. E. Walters
Winn Davis	A. R. Kincheloe	G. W. Wigginton
James R. Dorman	John B. Klefot	Robert Williams
S. J. Douthitt	Frank LeBus	—68

Mr. LeBus of the Committee on rules moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 473. An Act to permit Fiscal Courts of counties containing cities of the first class, in which there has been erected a Memorial to the soldiers, sailors and marines of the United States who served in the recent World War, to make annual contributions to the Memorial Commission having charge of such Memorial.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Fiscal Courts of counties containing cities of the first class be and they are hereby authorized to make annual contributions, not exceeding one and one-half (1½) cents on each One Hundred ($100.00) Dollars of taxable property in said county, to Memorial Commissions which have already erected a Memorial to the soldiers, sailors and marines of the United States, who served in the recent World War.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by it stitle and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	James A. Campbell	Joseph B. Everhart
W. O. Baxter	Bradley Combs	Kelly J. Francis
S. A. Blackburn	Ben L. Cox	John B. Furlong
D. C. Bradley	H. G. Crabtree	F. A. Gnau
T. L. Britton	G. Cunningham	L. B. Hamilton
J. Watt Brown	E. C Dennington	H. G. Handmaker
John R. Buckman	W. C. Dugan	Robt. L. Horn
Dr. R. A. Byers	William A. Eimer	C. E. Houk

Grover C. Johnson	Geo. R. McIntosh	W. E. Randall
J. Roy Johnson	T. R. McRoberts	Dorsey Ratliff
J. R. Johnston	Henry Meiman	Denny P. Smith
M. F. Jordan	Harry J. Meyers	D. O. Stanley
A. R. Kincheloe	M. F. Moore	J. A. Thompson
John B. Klefot	B. T. Morris	C. B. Truesdell
Frank LeBus	F. Tyler Munford	Speed H. Tye
Martin Light	Andrew W. Nichols	J. E. Walters
Fred V. Lucas	H. L. Nickell	L. M. Weathers
H. R. Marquette	J. D. Patton	
James A. May	John H. Pickett	—55

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 622. An Act to authorize and to add one additional Judge to the Circuit Court for the Thirtieth Judicial District; and to regulate the criminal procedure therein.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Whereas, it appears by the last enumeration (December, 1925) that the Thirtieth Circuit Court District has increased in population more than 40,000 and to such an extent that it is impossible for one Judge to dispose of the business of said court in the Criminal Branch thereof with reasonable dispatch and the number of cases upon the docket of said Court, Criminal Branch, is constantly increasing and in order

to expedite the trial of cases arising in the Criminal Branch of said Court and to relieve the congestion aforesaid, it is hereby provided:

§ 2. That one additional Judge of the Criminal Court for the Thirtieth Circuit Court district is hereby authorized and added to said Court, to be known as Judge of the Jefferson County Circuit Court, Criminal Branch.

§ 3. Said additional Judge shall preside over the Criminal Branch of the Jefferson Circuit Court and be designated and known as Judge of the Jefferson Circuit Court, Criminal Branch, Second Division.

§ 4. An election of such an additional Judge shall be held at the regular election to be held in November, 1930. He shall take his seat the first Monday in January 1931; he shall be commissioned by the Governor and shall preside over a branch of the said Court to be called Criminal Branch, Second Division; and he shall continue in office until his successor is elected and qualified. Until the first Monday in January, 1931, the place of such additional Judge shall be filled by appointment of the Governor; he shall, when appointed, be commissioned by the Governor as Judge of the Jefferson Circuit Court, Criminal Branch, Second Division, and shall take his seat as soon as he shall have qualified and shall continue in office until his successor is elected and shall have qualified.

§ 5. An election shall be held in the Thirtieth Circuit District to elect eight Circuit Judges on the first Tuesday after the first Monday in November, 1933, and every six years thereafter, under the general election laws of the Commonwealth of Kentucky; and said Judges shall enter upon the duties of their respective office on the first Monday in January succeeding their election. They shall be commissioned by the Governor and continue in office until their successors are elected and qualified.

§ 6. The Criminal Branch of the Jefferson Circuit Court as now established is continued and will hereafter be desig-

nated and known as Jefferson County Circuit Court, Criminal Branch, First Division, and the presiding Judge thereof shall be known and designated as Judge of the Jefferson County Circuit Court, Criminal Branch, First Division.

§ 7. Grand Juries may be summoned and impanelled in both Divisions of the Jefferson County Circuit Court, Criminal Branch. But, unless in case of emergency, grand juries will not be in session in both Division One and Division Two at the same time. Grand Juries will be summoned and impanelled in Division Number One in the month of January of each year and in each alternate month thereafter, and in Criminal Division Number Two in the month of February of each year and in each alternate month thereafter.

§ 8. It shall be the duty of the Commonwealth Attorney of the Thirtieth Judicial District to prosecute all cases arising in both Divisions of said Criminal Court and to discharge all of the duties of his office in reference thereto, either in person or through such of his assistants as he may designate.

§ 9. The Judges of the Jefferson Circuit Court are authorized and empowered to provide by rule the manner and method whereby the various appeals taken to the Criminal Branch of that court may be allotted to the different Divisions and for a transfer of prosecutions from one Division to the other.

§ 10. It shall be the duty of the Sheriff and the Circuit Court Clerk of Jefferson County to assign proper deputies to the said Second Division.

Whereas, it appears that the docket of the Jefferson Circuit Court, Criminal Division, is congested and the trial of cases thereby delayed, an emergency is declared to exist and this law shall become effective immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Ralph Gilbert	Clarence Miller
W. O. Baxter	L. B. Hamilton	M. F. Moore
S. A. Blackburn	H. G Handmaker	F. Tyler Munford
T. L. Britton	Robt. L. Horn	M. L. Napier
John R. Buckman	C. E. Houk	H. L. Nickell
James A. Campbell	Grover C. Johnson	Fred A. Nolte
Bradley Combs	J. Roy Johnson	Caleb A. Page
W. W. Cooper	Theron M. Johnson	J. D. Patton
Ben L. Cox	J. R. Johnston	John H. Pickett
H. G. Crabtree	M. F. Jordan	John W. Preston
G. Cunningham	A. R. Kincheloe	W. E. Randall
Winn Davis	Frank LeBus	Dorsey Ratliff
E. C. Dennington	Martin Light	D. O. Stanley
S. J. Douthitt	H. R. Marquette	J. A. Thompson
W. C. Dugan	Joseph Martin	Thomas H. Troxel
Thomas Dunn	James A. May	Speed H. Tye
William A. Eimer	Geo. R. McIntosh	Dr. Vallandingham
Joseph B. Everhart	T. R. McRoberts	G. W. Wigginton
Kelly J. Francis	Henry Meiman	Robert Williams
John B. Furlong	Harry J. Meyers	—59

Those who voted in the negative were—

D. C. Bradley	Dr. R. A. Byers	John B. Klefot
J. Watt Brown	F. A. Gnau	—5

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by

which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 683. An Act amending, repealing and enacting section 1136a of Kentucky Statutes, Carroll's 1922 edition, being an act concerning the commutation of sentences to penitentiaries, and prescribing rules therefor.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1136a of the Kentucky Statutes, Carroll's 1922 Edition, be amended, repealed and re-enacted, so that said section when so amended, repealed and re-enacted shall read as follows:

"Each prisoner who has been or shall hereafter be convicted, sentenced and confined in any of the penitentiaries of this state for a definite term, other than for life, whose prison record of conduct shows that he has faithfully observed all the rules and has not been subjected to punishment, shall be entitled to a deduction from the term of his sentence commencing on the first day of his arrival at the penitentiary, of ten days in each month, which shall be so computed as to allow the credit of ten days upon the expiration of each period of twenty days of service. The board of charities and corrections shall prescribe rules for the control, conduct and management of the prisoners, and allow to each prisoner a credit on his or her sentence in accordance herewith.

"Where a prisoner has two or more sentences, the aggregate of his several sentences shall be the basis upon which his deduction shall be estimated."

Any acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Kelly J. Francis	M. L. Napier
W. O. Baxter	John B. Furlong	H. L. Nickell
T. L. Britton	Ralph Gilbert	Fred A. Nolte
John Young Brown	H. G. Handmaker	Caleb A. Page
John R. Buckman	Grover C. Johnson	J. D. Patton
Dr. R. A. Byers	Theron M. Johnson	John H. Pickett
James A. Campbell	J. R. Johnston	John W. Preston
Bradley Combs	A. R. Kincheloe	Dorsey Ratliff
W. W. Cooper	Frank LeBus	D. O. Stanley
Ben L. Cox	Martin Light	Frank L. Strange
H. G. Crabtree	H. R. Marquette	J. A. Thompson
Winn Davis	B. K. Marshall, Jr.	Thomas H. Troxel
E. C. Dennington	Joseph Martin	C. B. Truesdell
S. J. Douthitt	James A. May	Speed H. Tye
W. C. Dugan	Henry Meiman	J. D. Via
Thomas Dunn	Harry J. Meyers	J. E. Walters
William A. Eimer	Clarence Miller	L. M. Weathers
J. O. Evans	B. T. Morris	G. W. Wigginton
Joseph B. Everhart	F. Tyler Munford	Robert Williams

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Those who voted in the negative were—

L. B. Hamilton T. R. McRoberts —2

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled bills of the following titles, viz.:

S. B. 227. An Act appropriating lands for the erection of a memorial at Brandenburg.

H. Res. 9. Resolution authorizing Elizabeth R. Hawkins and personal representatives of W. S. Farmer to sue the Commonwealth.

H. B. 31. An Act to regulate and limit the use of the words drug, drugs, drug store, etc.

H. B. 156. An Act relating to the compensation of city attorneys in cities of the fourth, fifth and sixth classes.

H. B. 222. An Act relating to primary system of roads and highways.

H. B. 726. An Act relating to present employees of the General Assembly.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that the bill which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver the bills which originated in this House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said House bills duly signed by the President of the Senate, into the possession of the Chief Clerk of the House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 27. An Act defining Plumbing, Master Plumber and Journeyman Plumber in counties containing cities of the first and second class of the Commonwealth of Kentucky; providing for examinations and issuing certificates to qualified Registered Master Plumbers and Registered Journeyman Plumbers and placing same under the jurisdiction of the State Board of Health of Kentucky, prescribing its powers and duties in relation to this Act and providing penalties for violations of the provisions of this Act.

With a Committee Amendment thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Defining Plumber, Master Plumber and Journey-

man Plumber.—Plumbing is the art of installing in buildings the pipes for distributing the water supply, the fixtures for using water, and drainage pipes for removing waste water and sewage, together with fittings and appurtenances of various kinds all within or adjacent to the building and including also the "service pipe" which forms the connection between the water main and the building, and the "house sewer" which conveys the waste water and sewage from the building to the street sewer or other point of disposal, including private sewage disposal contraptions or other methods and also includes storm or rain water piping, if same is discharged through or connected with house sewer or house drain. In order to safeguard life, health and property, any person, firm or corporation engaged in or working at the business of plumbing, either as a master plumber or a journeyman plumber, in counties containing cities of the first and second class of this Commonwealth, shall hereafter be required to submit evidence that he or she is qualified and shall be required to register, as hereinafter provided.

A master plumber is hereby defined to be a person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage and is skilled in the planning, superintending and the practical installation of plumbing and drainage.

A journeyman plumber is hereby defined to be a person who performs the work of installing plumbing and drainage under the direction of a master plumber.

Any person who assumes responsible charge and direction of other persons in the installation of plumbing and drainage, and who employs for gain or reward a person not registered, as provided herein, to perform and install plumbing and drainage, shall be guilty of violating the provisions of this Act and shall be punishable under the terms thereof. Provided, however, the provisions of this Act shall not apply to any one, who is employed as, or acting as a maintenance man by any person, firm or corporation, and who does not practice

as his principal trade or business the occupation of a Journeyman Plumber.

§ 2. For the purpose of carrying out the provisions of this Act and for the purpose of enforcing all of its provisions, the State Board of Health of Kentucky shall have jurisdiction, with power to issue and revoke certificates, as herein provided, conduct and hold examinations as herein provided, to make all the necessary rules and regulations for conducting the examination of applicants and governing the method and time for filing applications for examinations and the time within which an applicant must be examined after his application has been filed, and shall have the power to adopt all other reasonable rules and regulations not inconsistent herewith, as may be necessary to carry into effect the objects and purposes of this Act.

For the purpose of conducting the examination or examinations for persons to qualify as registered master plumber or as a registered journeyman plumber under the provisions of this Act, the State Board of Health of Kentucky shall appoint as such examiners for such examination or examinations, the following persons: The State Health Officer, the State Sanitary Engineer and three other persons, all of whom shall be registered, under the provisions of this Act, either as a master plumber or a journeyman plumber. Provided, however, that one of said persons shall be a registered master plumber and one of said persons shall be a registered journeyman plumber.

For the purpose of defraying the expense of such examination or examinations, and other expenses incident to the operation of this Act, the following fees shall be paid to the State Board of Health of Kentucky:

(a) By an applicant for an examination to determine his fitness to receive a certificate of registration as a master plumber, twenty-five dollars ($25.00).

(b) By an applicant for a certificate of registration as a master plumber, twenty-five dollars ($25.00).

(c) By an applicant for an examination to determine his fitness to receive his certificate as a registered journeyman plumber, five dollars ($5.00).

(d) By an applicant for a certificate of registration as a journeyman plumber, five dollars ($5.00).

(e) By an applicant for the annual renewal of the certificate as a registered master plumber, ten dollars ($10.00).

(f) By an applicant for the annual renewal of the certificate as a registered journeyman plumber, three dollars ($3.00).

All of the above fees must accompany the application and no part of said fees shall be refunded.

An applicant failing to receive a certificate upon his first application, or an applicant who fails to pass his first examination, shall be entitled to enter any examination held within six months from the date of his failure to procure a certificate, as provided for in this Act, without the payment of any additional fee.

§ 3. The State Board of Health of Kentucky for the purpose of carrying out the provisions of this Act, shall establish, adopt, promulgate and put into effect a code regulating the installation of plumbing, house drainage and seweage disposal, using as a minimum the basic principles adopted by the sub-committee on plumbing of the Building Code Committee of the United States, Department of Commerce, as shown in the final report of said Committee under date of July 3rd, 1923, with such additions as local, climatic and other conditions may require, and also to fix reasonable fees for the purpose of carrying into effect the provisions of this Act.

§ 4. Materials—Kind That May Be Used.—The use of all unsafe and defective materials in the work of plumbing and drainage is prohibited. Only the best known methods of installing of materials and fixtures, including supply pipes, waste, ventilation, soil pipe and sewerage shall be employed. It shall be unlawful to use in the work aforesaid extra light lead pipe, bends and traps, and all combination lead and iron

or combination lead and brass ferrules, bends or traps; but there shall be employed only the best known methods of joining lead or iron pipes by the use of heavy cast brass ferrules properly wiped with solder to lead.

§ 5. Persons To Whom Certificates As Registered Master Plumbers Or Registered Journeyman Plumbers Are To Be Issued.—The State Board of Health of Kentucky, upon application of any person who is a citizen of the United States and at least twenty-one (21) years of age, shall issue a certificate as a registered master plumber or a registered journeyman plumber without examination to any of the following:

(a) Any person, firm or corporation who furnishes the proper evidence that he or she were known as a master plumber and practiced as a master plumber as his or her principal vocation within counties containing cities of the first and second class of the Commonwealth of Kentucky at the time that this Act became a law, for at least five (5) years prior thereto and who applies for such certificate within six (6) months after the passage of this Act and its approval by the Governor.

(b) Any person who furnishes the proper evidence that he or she were known as journeyman plumbers and practiced as a journeyman as his or her principal vocation within counties containing cities of the first and second class of the Commonwealth of Kentucky at the time that this Act became a law, for at least eight (8) years prior thereto and who applies for such certificate within six (6) months after the passage of this Act and its approval by the Governor.

(c) Any person who furnishes the proper evidence that he or she now holds a license as a journeyman plumber, or who is a registered journeyman plumber and has passed the examination of any plumbing board of examiners for journeyman plumbers provided for under the laws of this State, and who applies for a certificate as a journeyman plumber within six (6) months after the passage of this Act and its approval by the Governor.

(d) Any applicant not possessing the qualifications as hereinabove set forth, who desires to become a registered master plumber or a registered journeyman plumber under the provisions of this Act, shall satisfactorily pass an examination designed to test applicant's practicability and technical knowledge of plumbing work, ventilation, water supply, etc. —provided such applicant is a citizen of the United States and at least twenty-one (21) years of age.

§ 6. Who May Be Styled As Registered Master Plumber Or Registered Journeyman Plumber.—Any person having a certificate pursuant to the requirements of this Act, may be styled or known as a registered master plumber or a registered journeyman plumber.

§ 7. No Person Shall Assume The Title Of Master Plumber Or Journeyman Plumber Unless Application For Certificate Has Been Applied For.—No person, firm or corporation presumed to have the right to secure such certificate because of his or her use of the title "Master Plumber" or "Journeyman Plumber" prior to the time this Act goes into effect, shall assume any title indicating that he or she is a master plumber or journeyman plumber, or any words, letters or figures to indicate that the person using them is a master plumber or a journeyman plumber, unless he or she shall have qualified and obtained a certificate of registration as a master plumber or journeyman plumber, as provided for in this Act, or stated his or her intention in writing to the State Board of Health to apply for certificate within six (6) months after the passage of this Act and its approval by the Governor.

§ 8. A Corporation Or A Partnership May Engage In The Business Of Plumbing.—A corporation or a partnership or an individual principal may engage in the business of plumbing within counties containing cities of the first and second class in this State provided a person or persons connected with such corporation or partnership or individual

principal in responsible charge of such plumbing work is or are registered as herein required of master plumbers, or is or are otherwise authoized to practice. The same exemption shall apply to corporations and partneships as apply to individuals under this Act.

It shall be the duty of any person who is a registered master plumber who is in responsible charge of such plumbing work for a corporation, partnership or individual principal, engaged in the plumbing business, for such person to notify the State Board of Health when such person severs his connection with the said corporation, partnership or individual principal.

§ 9. Any municipality in this Commonwealth included under the terms of this act which shall adopt the code promulgated by the State Board of Health of the Commonwealth of Kentucky for plumbing hereinabove set forth through municipal ordinances regulating the installation of plumbing, shall have the right to appoint a municipal plumbing inspector and a deputy plumbing inspector; said municipal inspector and deputy municipal inspectors shall have concurrent jurisdiction with the County plumbing inspector within the boundaries of the municipality in the enforcement of the provisions of this Act; provided, however, that at the time of their appointments the said municipal plumbing inspector and deputy municipal plumbing inspectors are either registered master plumbers, under provisions of this act, or are registered journeymen plumbers under any law of this Commonwealth regulating the registration of journeymen plumbers or any municipal ordinance passed thereunder. No provisions of this act shall deprive cities of the first or second class from collecting its occupational license fees on either master or journeymen plumbers, or from the collection of fees for the issuance of permits for the installation of plumbing fixtures.

§ 10. For the purpose of carrying out the provisions of this Act the State Board of Health of Kentucky shall ap-

point for counties containing cities of the first and second class in this Commonwealth, a County Plumbing Inspector; also the State Board of Health of Kentucky may appoint such Deputy County Plumbing Inspectors as it may deem necessary to carry out the provisions of this Act. Such County Plumbing Inspector and Deputy County Plumbing Inspector or Inspectors shall have at least ten (10) years' experience as a Journeyman Plumber, or has had five (5) years' experience as journeyman plumber and five (5) years' experience as a master plumber, or who has had six (6) years' experience either as a journeyman plumber and a master plumber. Provided, however, that such person must have had five (5) years' experience as a journeyman plumber and who, at the time of his appointment, is either a registered master plumber or a registered journeyman plumber under the provisions of this Act. The salary of said County Plumbing Inspector and the deputy or deputies shall be fixed by the State Board of Health at the time of or immediately after his or their appointment.

§ 11. Penalties For Violating The Provisions Of The Act.—Any person, firm or corporation violating any of the provisions of this Act, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than Ten Dollars ($10.00), nor more than One Hundred Dollars ($100.00), or imprisonment in the County Jail for a period of not more than ninety (90) days, or both so fined and imprisoned, in the discretion of the Court or Jury.

§ 12. If any clause, sentence, paragraph or part of this Act shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, said judgment shall not affect, impair, or invalidate the remainder of said Act, but shall be confined in its operation to the clause, paragraph or part thereof directly involved in the controversy in which said judgment shall have been rendered.

§ 13. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

Said Amendment offered by the Committee is as follows, viz.:

Amend S. B. 27 in House by striking out the words "water main" after the words "between the" in lines six and seven of Sec. 1, page 1 of printed bill and inserting in lieu thereof the following words, "between the shut off valve and curbline."

Amend S. B. 27 in House by adding after the words "a journeyman plumber" in line 33, page 2 of Section 1 of printed bill the following words "And providing further the provision of this act shall not apply to persons employed by any water company in the laying, maintenance and operations of its water mains and other appurtenances in the conduct of its business."

Amend S. B. 27 in House, Sec. 5, page 5, Subsec. B line 18 by striking therefrom the word "eight" and the figure "8" and insert in lieu therefor the word "six" and the figure "6".

Amend S. B. 27 in House, page 7, lines 10 and 11 by striking out the word and figure "six" "6" and insert in lieu therefor the word and figure "ten" "10".

Said Amendments were each and severally agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Bradley Combs
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
S. J. Douthitt
W. C. Dugan
Thomas Dunn
William A. Eimer
Garland Embry
J. O. Evans
Joseph B. Everhart
Virgil Eversole
Kelly J. Francis
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
Robt. L. Horn
C. E. Houk
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Frank LeBus
Martin Light
Fred V. Lucas
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Geo. R. McIntosh
Henry Meiman
Harry J. Meyers
M. F. Moore
B. T. Morris
L. B. Murphy
M. L. Napier
Andrew W. Nichols
H. L. Nickell
Fred A. Nolte
Caleb A. Page
J. D. Patton
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
D. O. Stanley
Frank L. Strange
Elmer J. Terry
J. A. Thompson
Thomas H. Troxel
G. B. Truesdell
Dr. Vallandingham
L. M. Weathers
Robert Williams
—77

Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House

took up for consideration from the Orders of the Day, a bill entitled:

H. B. 430. An Act to repeal and re-enact Sec. 3693 Kentucky Statutes, Carroll's Edition, 1915.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3693, Kentucky Statutes, Carroll's edition, one thousand nine hundred and fifteen, be and the same is hereby repealed and re-enacted so that said section as re-enacted shall read as follows:

Section 3693. Compensation of police judge, clerk, treasurer, assessor and marshal. The police judge, clerk, treasurer, assessor and marshal may severally receive, at stated times, a compensation, to be fixed by ordinance by the board of trustees, which compensation shall not be increased or diminished after their election or during their several terms of office.

Said Amendment as offered by the Committee is as follows, viz.:

Amend H. B. 430 in Section 1, line 2 after the word "fifteen" the words "relating to cities of the sixth class."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being

engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Kelly J. Francis	Geo. R. McIntosh
U. G. Anderson	John B. Furlong	T. R. McRoberts
W. O. Baxter	F. A. Gnau	Clarence Miller
S. A. Blackburn	L. B. Hamilton	M. F. Moore
D. C. Bradley	H. G. Handmaker	B. T. Morris
T. L. Britton	Robt. L. Horn	F. Tyler Munford
J. Watt Brown	C. E. Houk	Fred A. Nolte
John R. Buckman	R. L. Jackson	J. D. Patton
James A. Campbell	Grover C. Johnson	John H. Pickett
Pradley Combs	J. Roy Johnson	W. E. Randall
W. W. Cooper	J. R. Johnston	Dorsey Ratliff
Ben L. Cox	M. F. Jordan	D. O. Stanley
H. G. Crabtree	A. R. Kincheloe	Frank L. Strange
William J. Curtis	John B. Klefot	Elmer J. Terry
Winn Davis	Frank LeBus	C. B. Truesdell
S. J. Douthitt	Fred V. Lucas	Dr. Vallandingham
W. C. Dugan	H. R. Marquette	J. E. Walters
Thomas Dunn	B. K. Marshall, Jr.	G. W. Wigginton
William A. Eimer	Joseph Martin	Robert Williams
Joseph B. Everhart	James A. May	—59

Mr. Pickett offered the following Amendment to the title of said bill, viz.:

Amend the title to H. B. 430 by adding after the word "fifteen" in line 2 the words "relating to cities of the 6th class."

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 453. An Act to amend subsection 9 of Section 3704 of Kentuky Statutes, Carroll's Edition, Supplement 1922-1924, relating to cemeteries owned by cities of the sixth class; to provide for their control and management, provide for the establishment, perpetuation and control of endowment funds the income from which shall be used and expended for the care, improvement and maintenance of cemeteries.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 9 of Section 3704 of Kentucky Statutes, as amended by the Acts of the General Assembly of 1922, Carroll's Supplement, 1922-1924, be and the same is hereby amended by adding to said section, and subsection, the following:

9a. When the town shall own a cemetery the board of trustees, may, by ordinance, provide for its care and maintenance, in whole or in part, by income from endowment funds which have been, or may be derived from the treasury of the town or from other sources, and such funds shall be held perpetually for said use and shall forever be kept, held and managed separate from all other business and funds of the town. The ordinance shall provide ways and means for the establishment of such fund and to effectuate its accumulation and

preservation the board of trustees may, by ordinance, place the accumulation, control and management of these funds in the custody of a corporation which has been or may be incorporated for the sole purpose of owning, holding and managing cemeteries, without profit, and the treasurer of such corporation shall be required to make bond for the faithful performance of his duties in the preservation of the said funds and the expenditure of income therefrom in accordance with the provisions of such ordinance. The said corporation shall have power to take title to and hold, in its name, for the use and benefit of the town all lands acquired by the town, for cemetery purposes and may by its president and secretary make deeds for burial rights on all cemetery lots and perform all other duties, required of the chairman and clerk of the town board of trustees, by the preceding subsection 9 under such terms and conditions as the board of trustees may require in said ordinance. But the board of trustees shall fix the price at which lots, or the rights of interment, shall be sold and shall require reports from the said holding corporation at stated times to safeguard the faithful execution of the trust.

So that when the said section and subsection are amended said section and subsection shall read as follows:

9. Cemetery; Control and Management of.—Records plat and title to lots. When the town owns a cemetery, it shall be under the management and control of the town board of trustees. They shall fix the price at which lots shall be sold, and make deeds therefor. The board of trustees may have a plat made of any cemetery or addition thereto, which shall show the size and location of the blocks into which the same may be divided and of the lots which such blocks may contain, the several blocks of which shall be indicated on such plat by letters and such lots by number. Such plat shall be acknowledged by the mayor or chairman of the board of trustees of such town, with the seal thereto affixed, attested by the clerk and shall be lodged in the office of the clerk of the county

in which such city or town is situated, and be made a permanent record. The deed given as evidence of title to a lot in such cemetery shall describe such lot by reference to the block in which it is located and by giving the number of the lot therein, and shall be acknowledged by the mayor or chairman of the board of trustees of the town, attested by the clerk.

9a. When the town shall own a cemetery, the board of trustees, may by ordinance, provide for its care and maintenance, in whole or in part, by income from endowment funds which have been or may be derived from the treasury of the town or from any other sources, and such funds shall be held perpetually for said use and shall forever be kept and held and managed separate from all other business and funds of the town. The ordinance shall provide ways and means for the establishment of such fund and to effectuate its accumulation and preservation. The board of trustees may, by ordinance, place the accumulation, control and management of these funds in the custody of a corporation which has been or may be incorporated for the sole purpose of owning, holding and managing cemeteries, without profit, and the treasurer of such corporation shall be required to make bond for the faithful performance of his duties in the preservation of such funds and the expenditure of the income therefrom in accordance with the provisions of such ordinance. The said corporation shall have power to take title to and hold in its name, for the use and benefit of the town, all lands acquired for cemetery purposes, by the town, and may by its president and secretary make deeds for burial rights on all cemetery lots and perform all other duties required of the chairman and clerk of the town board of trustees, by the preceding subsection 9 under such terms and conditions as the board of trustees may require in said ordinance. But the board of trustees shall fix the price at which lots, or the rights of interment, shall be sold and shall require reports from the said holding corporation at stated times to safeguard the faithful execution of the trust.

All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Joseph B. Everhart	B. T. Morris
William B. Ardery	Virgil Eversole	Andrew W. Nichols
W. O. Baxter	Kelly J. Francis	H. L. Nickell
D. C. Bradley	John B. Furlong	Fred A. Nolte
John Young Brown	H. G. Handmaker	Caleb A. Page
J. Watt Brown	Rev. B. L. Hargrove	J. D. Patton
John R. Buckman	Robt. L. Horn	John H. Pickett
James A. Campbell	R. L. Jackson	W. E. Randall
Bradley Combs	Grover C. Johnson	Dorsey Ratliff
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	J. R. Johnston	Frank L. Strange
William J. Curtis	M. F. Jordan	J. A. Thompson
E. C. Dennington	A. R. Kincheloe	Thomas H. Troxel
James R. Dorman	Frank LeBus	J. D. Via
S. J. Douthitt	Fred V. Lucas	J. E. Walters
W. C. Dugan	B. K. Marshall, Jr.	G. W. Wigginton
William A. Eimer	Joseph Martin	Robert Williams
J. O. Evans	James A. May	—53

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by

which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 106. An Act relating to the qualifications of personal surety on fiduciary's bond and providing for a lis pendens upon the real estate of surety which is offered as pledge when surety qualifies on said bond; the manner in which said lis pendens shall be recorded, its obligation and effect; the manner in which said lis pendens shall be released; and providing for fees for recording, certifying and releasing such lis pendens.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the county judge shall not accept any personal surety on any fiduciary's bond of $1,000.00 or over unless it shall appear from the affidavit of the person offering as said surety that said person is a resident of the State of Kentucky and is the owner of real estate situated in this State, which real estate is subject to execution and is worth, over and above the amount of his debts and exemptions, double the value of the bond fixed by the court. The affidavit shall state where the said property is located, and the execution of a bond for a fiduciary by a surety shall create a lien on the said property owned by the said surety and works a lis pendens against such property to support such lien, and the lien thus created shall be superior to any after conveyance of the property by the surety, or any other lien thereafter created, until the surety's obligation on such bond is fully discharged.

Whenever a person signs as surety on a fiduciary's bond the clerk of the county court shall make a record of same in the lis pendens book, which notation shall state the date of the execution of said bond and the number of the bond book and page where said bond is recorded.

If the property, or any part of the property, upon which a lien is created by the execution of a fiduciary's bond is located in another county in the State of Kentucky from that in which said bond is executed, the clerk of the county court in which said bond is executed shall mail a certified copy of the affidavit herein provided for and the clerk of the county court of that county shall record the same in the lis pendens book of said county and return the same properly endorsed to the clerk of the county in which the bond has been executed within five days.

When the fiduciary has made a final settlement and the same has been approved by the court and the fiduciary and the surety has been discharged, the said lien shall be released and the clerk shall make a notation upon the lis pendens book of the settlement book and the page where said final settlement has been recorded and the date, order book and page containing the order discharging said fiduciary and surety.

The clerk of the county court shall be allowed for recording the lis pendens in the lis pendens book the fee now prescribed by law for recording a lis pendens upon real estate; a fee of fifty cents for certifying each copy of affidavit to clerk of another county, and shall be allowed for noting the release of a lis pendens the same fee now allowed by law to county clerks for recording the release of a lis pendens.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	John B. Furlong	Clarence Miller
W. O. Baxter	F. A. Gnau	B. T. Morris
L. C. Bradley	Rev. B. L. Hargrove	Tyler F. Munford
T. L. Britton	Robt. L. Horn	M. L. Napier
John Young Brown	Grover C. Johnson	H. L. Nickell
J. Watt Brown	J. Roy Johnson	Fred A. Nolte
John R. Buckman	Theron M. Johnson	J. D. Patton
Dr. R. A. Byers	J. R. Johnston	John H. Pickett
Bradley Combs	M. F. Jordan	John W. Preston
W. W. Cooper	A. R. Kincheloe	Dorsey Ratliff
Ben L. Cox	Frank LeBus	Frank L. Strange
G. Cunningham	Martin Light	J. A. Thompson
E. C. Dennington	Fred V. Lucas	Thomas H. Troxel
S. J. Douthitt	B. K. Marshall, Jr.	C. B. Truesdell
W. C. Dugan	Joseph Martin	Dr. Vallandingham
Thomas Dunn	James A. May	J. D. Via
J. O. Evans	Geo. R. McIntosh	J. E. Walters
Joseph B. Everhart	T. R. McRoberts	G. W. Wigginton
Virgil Eversole	Henry Meiman	
Kelly J. Francis	Harry J. Meyers	—58

There voted in the negative—

H. Speed Tye —1

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by

which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 43. An Act to repeal in part, to amend and re-enact section four (4) (which is Section 3142-4 of Carroll's Statutes, sixth edition, 1922) and to amend and re-enact section eleven (11) (which is Section 3142b-11 of Carroll's Kentucky Statutes, sixth edition, 1922) of an act entitled "An Act to amend and re-enact Section 3140 and 3138, Kentucky Statutes, Carroll's 1915 edition, being a part of the charter of cities of the second class, for the better government, administration and disposition and discipline of the police and fire department and to create and perpetuate a pension fund for disabled police and firemen, their widows and children, dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after service of a term of years," which act is Chapter 28 of the Acts of the General Assembly of Kentucky for the year 1920, and which was approved March 19th, 1920, as amended by an Act of the General Assembly, amending Section four, by Chapter 83 of the Acts of the General Assembly of the year 1928, and approved March 21st, 1928, and as amended by Chapter 82 of the Acts of the General Assembly of the year 1928, approved March 22nd, 1928, and as amended by an Act of the General Assembly, amending section eleven (11) by Chapter 96 of the Acts of the General Assembly of the year 1924, and approved March 26, 1924.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section four (which is Section 3142b-4 of Carrall's Kentucky Statutes, Sixth Edition, 1922) of an act entitled "An Act to amend and re-enact Section 3140 and 3138, Kentucky Statutes, Carroll's 1915 Edition, being a part of the charter of cities of the second class for the better government, administration and disposition and discipline of the police and fire department and to create and perpetuate a pension fund for disabled police and firemen, their widows and children and dependent fathers and mothers, and to create and perpetuate a board of trustees for the management and conduct thereof, and to pension members thereof after service of a term of years," which act is Chapter 28 of the Acts of the General Assembly of the year 1920, approved March 19th, 1920, as amended by Chapter 83 of the Acts of the General Assembly of 1928, approved March 21st, 1928, and as amended by Chapter 82 of the Acts of the General Assembly of 1928, approved March 22nd, 1928, be repealed in part and amended and re-enacted by striking from said section as amended by Chapter 82 of the Acts of the General Assembly of 1928 the words "nineteen hundred and twenty-nine," where they appear in said section, and inserting in lieu thereof the words "nineteen hundred and thirty"; and by inserting the word "continuously" in said section immediately after the word "served" and immediately before the words "in the police and fire departments"; and by striking from said Section four, as amended by Chapter 83 of the Acts of the General Assembly of 1928, the words "nineteen hundred and twenty-one," and inserting in lieu thereof the words "nineteen hundred and thirty"; and by striknig out the words "one cent," where they appear in said section preceding the words "on each one hundred dollars value of taxable property in said

cities,'' and inserting in lieu thereof the words ''two cents''; and by striking out and repealing so much of said section as provides as follows: ''and provided further that any person who has served as a member of the police or fire department for as many as ten years and shall have been transferred to or employed in another department or branch of the city government, and shall have served in the capacity of policeman or fireman and other city employees for a combined period of twenty years, the widow or dependents, children under the age of fourteen years or either of them shall be eligible, and shall be pensioned under this action in the same manner and under the same conditions as members of the police and fire departments who have served as such continuously for a period of twenty years,'' so that said section four when so repealed in part, amended and re-enacted will read, and is re-enacted to read as follows:

Section Four. There may be levied and set apart by the Board of Commissioners of cities of the second class a tax for the year nineteen hundred and thirty and for each and every year thereafter, not exceeding two cents on each one hundred dollars value of taxable property in said cities for said year as a fund for the pensioning of any policeman or fireman who has served continuously in the police and fire department, for at least a period of twenty years, and who shall retire from the service after said period, and for the further purpose of pensioning any member of the police and fire departments who may become permanently crippled while in the service and on duty, and for the further purpose of pensioning the widow or dependents, children under the age of fourteen years, or either of them, or any member of either department who may lose his life while in the service and on active duty. And all rewards, fees, proceeds of gifts and emoluments that may be paid or given on account of extraordinary service of any officer, member or employe of the department shall be paid in the treasury to the credit of the police and firemen's

pension fund. The payment so made together with the tax levy aforesaid, shall constitute and be kept as a fund, to be called the Police and Firemen's Pension Fund, and the said board heretofore designated is hereby declared to be the trustees of said fund, and they shall have power, and it shall be their duty, from time to time, to invest the same, in whole or in part, as they shall deem most advantageous for the objects of said fund; and they are empowered to make all the necessary contracts and to take all the necessary remedies in the premises.

That Section Eleven (which is Section 3142b-11 of Carroll's Kentucky Statutes, Sixth Edition, 1922) of said act, as amended by Chapter 96 of the Acts of the General Assembly of 1924, approved March 26, 1924, be amended by adding and inserting in said Section Eleven the word "consecutively" immediately after the word "more" and immediately before the words "in such police or fire department," so that said Section Eleven, when amended and re-enacted, will read, and is re-enacted to read as follows:

Section Eleven. Any member of the police or fire department of such cities having served twenty years or more and consecutively for the last 5 years of said 20 years in such police or fire department, may make application to be relieved from such police or fire department, and if his application be granted, the said Board of Trustees shall order and direct that such person be paid monthly pension equal to one-half of the amount of the salary said person is or was in receipt of as a member of said department at the time of granting application.

Mr. Dennington offered the following Amendment to said bill, viz.:

Amend S. B. 43 by striking out the word may in Section 4, line 42 of the printed bill, after the word these and insert the word shall.

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. O. Evans	Henry Meiman
U. G. Anderson	Joseph B. Everhart	Harry J. Meyers
W. O. Baxter	Virgil Eversole	M. F. Moore
S. A. Blackburn	Kelly J. Francis	B. T. Morris
D. C. Bradley	John B. Furlong	Tyler F. Munford
John Young Brown	F. A. Gnau	H. L. Nickell
John R. Buckman	L. B. Hamilton	Fred A. Nolte
James A. Campbell	H. G Handmaker	John H. Pickett
Lee Clark	Rev. B. L. Hargrove	Denny P. Smith
Bradley Combs	J. F. Harrison	D. O. Stanley
W. W. Cooper	R. L. Jackson	Frank L. Strange
Ben L. Cox	Theron M. Johnson	J A. Thompson
G. Cunningham	M. F. Jordan	Thomas H. Troxel
William J. Curtis	John B. Klefot	C. B. Truesdell
Winn Davis	Frank LeBus	Speed H. Tye
E. C. Dennington	H. R. Marquette	J. E. Walters
S. J. Douthitt	Joseph Martin	Robert Williams
W. C. Dugan	James A. May	
William A. Eimer	T. R. McRoberts	—55

Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 637. An Act providing for appointment of counsel for indigent dependents in criminal cases.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The Judges of the Circuit Courts of this Commonwealth shall appoint Counsel, not more than two for such prisoners as may be indigent. It shall be the duty of the Judge of said Courts to ascertain, through examination of such prisoners, whether said prisoners have funds sufficient to employ counsel. If said prisoners shall not have funds sufficient, nor can obtain sufficient funds necessary to employ counsel, the Judge, may, in his discretion, appoint any attorney or attorneys to defend said prisoner or prisoners.

§ 2. Before an attorney may be appointed by said Judge upon such cases, he must have been admitted to the bar of this Commonwealth for a period of not less than six months previously. Such counsel shall not be a partner in the practice of law, of the attorney having charge of the prosecution and a partner of such attorney shall not be employed by, or conduct the defense of, a person so prosecuted.

§ 3. The attorney so appointed to defend said prisoner or prisoners shall be entitled to a reasonable fee to be decided upon by the Court, to be paid from the County Treasury, and may receive therefor, in a case of murder such compensation as the Court approves not exceeding the sum of $100.00; in the case of manslaughter, not exceeding the sum of $50.00, and in other cases of felonies, a sum not exceeding $25.00.

§ 4. The Clerk of the Circuit Court shall keep a record of all appointments, and shall at the end of each month present said record to the Judge for approval. When approved, said Clerk shall transmit to the County Treasurer said record, who shall not draw an order upon said treasury for the payment of counsel, until the account has been presented to and allowed by the Fiscal Court thereof in the County where the trial is had.

Mr. Via offered the following Amendment to said bill viz.:

Amend H. B. 637 by adding on page 2 of the printed bill at the end of line 6 the words "And in misdemeanor and lunacy proceedings a sum not exceeding $5.00."

Said Amendment was agreed to.

Mr. Everhart offered the following Amendment to said bill, viz.:

Amend H. B. 637 by adding after line 7 in Section 4 the following words "This act shall be known as and may be cited as the Handmaker Act."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	E. C. Dennington	Geo. R. McIntosh
E. S. Allison	W. C. Dugan	Henry Meiman
U. G. Anderson	Thomas Dunn	M. F. Moore
William B. Ardery	William A. Eimer	B. T. Morris
W. O. Baxter	Joseph B. Everhart	Tyler F. Munford
D. C. Bradley	Virgil Eversole	H. L. Nickell
T. L. Britton	Kelly J. Francis	Fred A. Nolte
John Young Brown	John B. Furlong	James I. Peters
John R. Buckman	F. A Gnau	John H. Pickett
Dr. R. A. Byers	L. B. Hamilton	John W. Preston
James A. Campbell	H. G. Handmaker	Dorsey Ratliff
Bradley Combs	R. L. Jackson	D. O. Stanley
Elmer Cook	M. F. Jordan	Frank L. Strange
Leonard Cook	A. R. Kincheloe	J. A. Thompson
W. W. Cooper	John B. Klefot	Speed H. Tye
Ben L. Cox	Frank LeBus	Dr. Vallandingham
H. G. Crabtree	Fred V. Lucas	J. D. Via
G. Cunningham	H. R. Marquette	J. E. Walters
William J. Curtis	B. K. Marshall, Jr.	G. W. Wigginton
J. J. Davis	Joseph Martin	Robert Williams
Winn Davis	James A. May	—62

Those who voted in the negative were—

J. Watt Brown	Ralph Gilbert	T. R. McRoberts
S. J. Douthitt	J. Roy Johnson	Caleb A. Page
J. O. Evans	Martin Light	

—8

Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House

took up for consideration from the Orders of the Day, a bill entitled:

H. B. 394. An Act to amend and re-enact section 3544a-1 of Carroll's Kentucky Statutes, relating to cities of the Fourth Class; tax bills; notice to taxpayers; when penalties attach; discount.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3544a-1 of Carroll's Kentucky Statutes be and the same is hereby amended and re-enacted by striking out the word "July" and substituting therefor the word "June" and by adding in said section "And the discount, if any, as provided by ordinance for payment of taxes before July 1st," and "providing the board of council may by ordinance allow a discount of not exceeding three per centum (3%) for the prompt payment of city taxes if paid before July 1st after the same shall come due," so that when amended said section will read as follows:

"That tax receipts, except as herein provided, shall be turned over to the collector or treasurer, as may be provided for by ordinance, who shall receipt to the clerk for same, and shall, within ten days after receipt of same, and before the first day of June, and ten days before September 1st, in each year, give notice, by printed notices posted for ten days in ten public places in said city, or by such notice for ten days in a newspaper, to be designated by the council, that the taxes for the current year are in his hands for collection and are due, and that in default of payment on or before November 1st, the penalty prescribed by ordinance shall be attached; and the discount, if any, as provided by ordinance for payment of taxes before July 1st. Said receipts shall be endorsed by the collector or treasurer, and all receipts remaining in

his hands on the first day of November in each year, unpaid, shall be endorsed by him 'Delinquent' and returned to the city clerk, and such receipts found in such list returned to said clerk to be unpaid shall be credited to the collector or treasurer on his receipt. The city clerk shall thereupon proceed to attach a penalty prescribed by ordinance to each tax receipt, not exceeding twenty-five per centum (25%) penalty and interest as may be provided by ordinance, and then deliver same to the collector, taking his receipt therefor; providing the board of council may, by ordinance, allow a discount of not exceeding three per centum (3%) for the prompt payment of city taxes if paid before July 1st, after the same shall come due."

§ 2. Cities of the Fourth Class are to make levy of taxes as of April 1st next and provide for the collection of same for the current year. An emergency is therefore declared to exist and this Act shall be effective from and after its passage, and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	William J. Curtis	H. R. Marquette
W. O. Baxter	E. C. Dennington	B. K. Marshall, Jr.
John Young Brown	Kelly J. Francis	Joseph Martin
John R. Buckman	H. G. Handmaker	Geo. R. McIntosh
James A. Campbell	Grover C. Johnson	T. R. McRoberts
W. W. Cooper	Martin Light	Clarence Miller

H. L. Nickell	James I. Peters	Dr. Vallandingham
Curtis F. Park	Elmer J. Terry	—23

Those who voted in the negative were—

F. B. Adcock	Joseph B. Everhart	Caleb A. Page
William B. Ardery	Virgil Eversole	J. D. Patton
D. C. Bradley	John B. Furlong	John H. Pickett
J. Watt Brown	Ralph Gilbert	John W. Preston
Lee Clark	F. A. Gnau	W. E. Randall
Bradley Combs	R. L. Jackson	Dorsey Ratliff
Elmer Cook	J. Roy Johnson	D. O. Stanley
Ben L. Cox	Theron M. Johnson	Frank L. Strange
H. G. Crabtree	A. R. Kincheloe	J. A. Thompson
G. Cunningham	Fred V. Lucas	C. B. Truesdell
S. J. Douthitt	James A. May	J. E. Walters
W. C. Dugan	M. F. Moore	G. W. Wigginton
Thomas Dunn	Tyler F. Munford	Robert Williams
J. O. Evans	Fred A. Nolte	—41

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 70. An Act to amend section 4356t-2 of 1928 Supplement to Carroll's 1922 Edition, Kentucky Statutes, by striking therefrom the following words: "The governor may appoint an executive inspector of the state highway department who shall be a citizen of Kentucky and a resident thereof for ten years next preceding the date of appointment, at least thirty years of age and of good moral character. The said executive inspector shall qualify by taking the constitutional

oath required of officers and by executing bond in such penal sum as may be fixed by the state highway commission and be approved by the commission and filed with the secretary of state. The said executive inspector shall discharge the duties required of him by law and requested by the governor and state highway commission and may be removed at the pleasure of the governor. Said executive inspector shall receive a salary of four thousand dollars ($4,000.00) annually, to be paid monthly out of the state treasury, and necessary traveling expenses when on official business, to be charged to the state road fund."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4356t-2, 1928 Supplement to Carroll's 1922 Edition, Kentucky Statutes, be amended by striking therefrom the following words: "The governor may appoint an executive inspector of the state highway department who shall be a citizen of Kentucky and a resident thereof for ten years next preceding the date of appointment, at least thirty years of age and of good moral character. The said executive inspector shall qualify by taking the constitutional oath required of officers and by executing bond in such penal sum as may be fixed by the state highway commission and be approved by the commission and filed with the secretary of state. The said executive inspector shall discharge the duties required of him by law and requested by the governor and state highway commission and may be removed at the pleasure of the governor. Said executive inspector shall receive a salary of four thousand ($4,000.00) annually, to be paid monthly out of the state treasury, and necessary traveling expenses when on official business, to be charged to the state road fund."

So that said section, when the words herein are stricken

from same, will read: "The state highway engineer shall receive a salary of five thousand dollars ($5,000.00) annually, to be paid monthly out of the state treasury and charged to the state road fund, and shall be furnished with ample office room at the state capitol for himself and all assistants for the proper prosecution of their work. The engineer, and all officers, assistants and employees of the department shall be paid their actual necessary traveling expenses while engaged in the discharge of official and departmental duties, said expenses to be paid, upon certification to the auditor by the commission, and charged to the state road fund. The total expenses of the department, including salaries, traveling expenses and all other expenses connected with or incident to the work imposed on the department, shall not exceed in the aggregate, in any one year, ten per centum of the total road fund expended for said year. The state highway commission shall have the legal assistance of the attorney general in any litigation or other legal matter or advice in which the state highway department is concerned upon the request of the said commission or of the state highway enginer."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	T. L. Britton	James A. Campbell
U. G. Anderson	John Young Brown	Lee Clark
William B. Ardery	J. Watt Brown	Bradley Combs
D. C. Bradley	John R. Buckman	Elmer Cook

W. W. Cooper	J. F. Harrison	F. Tyler Munford
Ben L. Cox	Robt. L. Horn	M. L. Napier
H. G. Crabtree	C. E. Houk	Andrew W. Nichols
G. Cunningham	R. L. Jackson	H. L. Nickell
William J. Curtis	Grover C. Johnson	James I. Peters
Winn Davis	Theron M. Johnson	John H. Pickett
E. C. Dennington	J. R. Johnston	Dorsey Ratliff
James R. Dorman	M. F. Jordan	Denny P. Smith
S. J. Douthitt	John B. Klefot	D. O. Stanley
W. C. Dugan	Frank LeBus	Frank L. Strange
William A. Eimer	Martin Light	J. A. Thompson
J. O. Evans	B. K. Marshall, Jr.	Thomas H. Troxel
Joseph B. Everhart	James A. May	C. B. Truesdell
Kelly J. Francis	T. R. McRoberts	Speed H. Tye
John B. Furlong	Henry Meiman	J. E. Walters
Ralph Gilbert	Harry J. Meyers	L. M. Weathers
F. A. Gnau	Russell O. Miller	G. W. Wigginton
L. B. Hamilton	M. F. Moore	Robert Williams
Rev. B. L. Hargrove	B. T. Morris	—68

There voted in the negative—

H. G. Handmaker —1

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 241. An Act consenting to the acquisition by the United States of land, water, or land and water, within the

State of Kentucky for migratory-bird reservations authorized by Act of Congress of February 18, 1929.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the State of Kentucky:

§ 1. Consent of the State of Kentucky is given to the acquisition by the United States by purchase, gift, devise, or lease of such areas of land or water, or of land and water, in Kentucky, as the United States may deem necessary for the establishment of migratory-bird reservations in accordance with the Act of Congress approved February 18, 1929, entitled "An Act to more effectively meet the obligations of the United States under the Migratory Bird Treaty with Great Britain by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and of water to furnish in perpetuity reservations for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement and for other purposes," reserving, however, to the State of Kentucky, full and complete jurisdiction and authority in, on and over all such areas not incompatible with the administration, maintenance, protection, and control thereof by the United States under the terms of said Acts of Congress.

This act shall not be so construed as to deprive the courts of Kentucky of the right to try and punish those who violate any of the criminal and/or penal statutes of Kentucky in, on or over any such areas.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John B. Furlong	H. L. Nickell
U. G. Anderson	Ralph Gilbert	Fred A. Nolte
William B. Ardery	L. B. Hamilton	Curtis F. Park
S. A. Blackburn	Rev. B. L. Hargrove	J. D. Patton
D. C. Bradley	J. F. Harrison	James I. Peters
John Young Brown	Robt. L. Horn	John H. Pickett
John R. Buckman	C. E. Houk	John W. Preston
James A. Campbell	R. L. Jackson	Dorsey Ratliff
Lee Clark	M. F. Jordan	Denny P. Smith
Bradley Combs	John B. Klefot	D. O. Stanley
Leonard Cook	Frank LeBus	Frank L. Strange
W. W. Cooper	H. R. Marquette	Elmer J. Terry
Ben L. Cox	Joseph Martin	J. A. Thompson
H. G. Crabtree	James A. May	Thomas H. Troxel
William J. Curtis	Henry Meiman	C. B. Truesdell
S. J. Douthitt	Harry J. Meyers	Speed H. Tye
W. C. Dugan	Clarence Miller	J. D. Via
Garland Embry	B. T. Morris	J. E. Walters
J. O. Evans	F. Tyler Munford	L. M. Weathers
Joseph B. Everhart	M. L. Napier	G. W. Wigginton
Kelly J. Francis	Andrew W. Nichols	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Governor announcing

that he returns to this House where it originated, without his approval and signature a bill entitled:

H. B. 302. An Act accepting an offer by Hon. Coleman Dupont to provide certain funds for the acquisition for State Park purposes of an area approximating 2,000 to 2,200 acres, including the site of Cumberland Falls.

Together with his objections and veto to said bill and his reasons therefor.

(For bill see Journal of February 18).

The objections of the Governor and his reasons therefor are as follows, viz.:

VETO MESSAGE.
HOUSE BILL NO. 302.

House Bill No. 302, purporting to accept from Senator Dupont, of Delaware, a contribution of $230,000.00 with which to buy Cumberland Falls and adjacent lands now owned by private interests and in which they have invested approximately $375,000.00, is no doubt the result of an impulse arising out of a flood of pernicious propaganda against the development of water power near Cumberland Falls in Cumberland River. The measure appears to be a clear invasion of the Constitutional limitation which was intended to prohibit and does prohibit the General Assembly from passing local and special legislation. It is otherwise violative of our fundamental law. The bill specificially sets out the lands to be purchased, location, area and price, but does not show that the area, or any part of it, is now owned or held by the Commonwealth, the fact being that all this Cumberland Falls region belongs to private individuals and corporations and not to the State.

Over and above its unconstitutional invidiousness, the

bill undertakes to compel the State of Kentucky to accept a gift of $230,000.00 which will obstruct an industrial development that would be worth millions of dollars to the Commonwealth, give employment to many persons and help to bring industries into our midst. The proposal is bad business from the State's standpoint.

Both a public park and a power development with large investment, giving employment to many persons, can be and should be brought about in the Cumberland Falls region. Both can be done. No reason appears why the people of that part of the State should not get all the good possible out of this natural condition, and this can only be done by accepting another and different proposition from that made by Dupont which will provide a large park area, bird and wild life sanctuary of 40,000 acres or more, with an extensive lake, including a dam, highway, highway bridge and other improvements, all in a region now dormant and possessing little or no earning power. If this bill should become law and the State of Kentucky should accept the proposition of Senator Dupont, it would, in my opinion, hinder the development of all Eastern Kentucky and turn away an investment of many millions which would bring in large taxes each year to the State, County and School districts and would blight the hope of several hundred men and women who would like employment both in the construction of the plant and in its continuous operation thereafter. The bad features of this bill outweigh by far any benefits that the Dupont gift would or could bring.

For these reasons I disapprove House Bill No. 302, and attach this veto message.

FLEM D. SAMPSON, *Governor of Commonwealth of Kentucky.*

March 7, 1930.

Mr. LeBus moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Thomas Dunn	B. K. Marshall, Jr.
William B. Ardery	William A. Eimer	James A. May
W. O. Baxter	J. O. Evans	T. R. McRoberts
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	M. F. Moore
John Young Brown	Ralph Gilbert	B. T. Morris
J. Watt Brown	F. A. Gnau	F. Tyler Munford
John R. Buckman	L. B. Hamilton	M. L. Napier
James A. Campbell	Rev. B. L. Hargrove	Andrew W. Nichols
Lee Clark	J. F. Harrison	H. L. Nickell
Elmer Cook	Robt. L. Horn	James I. Peters
Leonard Cook	C. E. Houk	Denny P. Smith
W. W. Cooper	R. L. Jackson	D. O. Stanley
Ben L. Cox	Grover C. Johnson	Frank L. Strange
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	Dr. Vallandingham
Winn Davis	John B. Klefot	J. D. Via
E. C. Dennington	Frank LeBus	J. E. Walters
S. J. Douthitt	Martin Light	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	J. Roy Johnson	John H. Pickett
T. L. Britton	Fred V. Lucas	John W. Preston
Dr. R. A. Byers	H. R. Marquette	W. E. Randall
Bradley Combs	Joseph Martin	Dorsey Ratliff
J. J. Davis	Geo. R. McIntosh	C. B. Truesdell
W. C. Dugan	Fred A. Nolte	Speed H. Tye
Joseph B. Everhart	Caleb A. Page	Robert Williams
Virgil Eversole	J. D. Patton	—23

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in this House entitled:

H. B. 92. An Act appropriating money for the operation and maintenance of the various departments, boards commissions, institutions and agencies of the State Government of the Commonwealth of Kentucky.

With Amendments thereto.

(For bill see House Journal of February 27).

Said Amendments are as follows, viz.:

Amend H. B. 92, Section 3, line 6, instead of $21,000 insert $21,600.

Line 11 instead of $21,000 insert $21,600.

Amend H. B. 92 on page 35, line 67 (b-2) by inserting

after the word "an" and before the word "engineering" the word "agricultural."

Amend H. B. 92, by adding thereto as Section 60 thereof, the following: "No department receiving an appropriation by the provisions of this Act for the two years herein named, shall exceed in expenditures said appropriations and shall incur no indebtedness exceeding said appropriations. The money appropriated by this Act to the various offices, boards, and commissions and institutions set out in this Act shall be applied and used for the payment and discharge of the current bills and obligations arising for the fiscal years for which said funds have been appropriated by this Act and no overdrafts of past fiscal years, except as provided for in this Act, shall be carried over into this biennial period."

Amend H. B. 92 in Section 48 on page 36 line 17 by striking out the entire line 17, and substituting the following words:

"Highway Commission shall upon the advice and recommendation of the."

And on page 37 same Section (48) line 20 change period to comma and add the following words:

"who shall be paid out of which sum two thousand dollars ($2,000.00) in equal monthly installments in addition to his present salary as Geologist for the administration of this topographical survey in Kentucky,"

And further in the same Section (48) page 37, line 36 strike out the entire line (36) and substitute the following words:

"Highway Commission shall upon the advice and recommendation of the."

And further at end of line 39 of the same Section (48)

remove period and substitute comma and add the following words:

"who shall be paid out of which sum two thousand dollars ($2,000.00) in equal monthly installments in addition to his present salary as Geologist for the administration of this topographical survey in Kentucky."

Said Amendments were then concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Kelly J. Francis	M. F. Moore
E. S. Allison	John B. Furlong	B. T. Morris
U. G. Anderson	Ralph Gilbert	F. Tyler Munford
W. O. Baxter	F. A. Gnau	L. B. Murphy
S. A. Blackburn	L. B. Hamilton	M. L. Napier
John Young Brown	H. G. Handmaker	Andrew W. Nichols
John R. Buckman	Rev. B. L. Hargrove	H. L. Nickell
James A. Campbell	J. F. Harrison	Caleb A. Page
Lee Clark	Robt. L. Horn	Curtis F. Park
Bradley Combs	C. E. Houk	J. D. Patton
W. W. Cooper	R. L. Jackson	John H. Pickett
Ben L. Cox	J. Roy Johnson	Denny P. Smith
H. G. Crabtree	Theron M. Johnson	D. O. Stanley
G. Cunningham	J. R. Johnston	Frank L. Strange
Winn Davis	M. F. Jordan	Elmer J. Terry
James R. Dorman	Frank LeBus	J. A. Thompson
S. J. Douthitt	H. R. Marquette	Thomas H. Troxel
W. C. Dugan	James A. May	C. B. Truesdell
William A. Eimer	Henry Meiman	J. E. Walters
J. O. Evans	Harry J. Meyers	G. W. Wigginton
Virgil Eversole	Clarence Miller	Robert Williams

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Those who voted in the negative were—

J. Watt Brown J. J. Davis T. R. McRoberts
Leonard Cook —4

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 390. An Act repealing and re-enacting Sec. 2,000, Kentucky Statutes, Carroll's 1922 Edition, being an Act dividing the State of Kentucky into 38 Senatorial Districts as provided by Section 33 of the Constitution.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2,000 of the Kentucky Statutes, Carroll's 1922 Edition, be repealed and re-enacted so that said section as re-enacted shall read as follows:

The State of Kentucky shall be and the same is hereby divided into thirty-eight senatorial districts as follows:

District one. The counties of Graves, Hickman and Fulton, shall be senatorial district number one.

District two. The counties of Carlisle, Ballard, McCracken and Marshall shall be senatorial district number two.

District three. The counties of Caldwell, Calloway, Lyon and Trigg, shall be senatorial district number three.

District four. The counties of Livingston, Crittenden, and Union shall be senatorial district number four.

District five. The counties of Henderson and Webster shall be senatorial district number five.

District six. The counties of Christian and Hopkins shall be senatorial district number six.

District seven. The counties of Muhlenberg, Ohio and Butler shall be senatorial district number seven.

District eight. The counties of Daviess and McLean shall be senatorial district number eight.

District nine. The counties of Logan, Simpson and Todd shall be senatorial district number nine.

District ten. The counties of Hancock, Grayson, Breckinridge and Hart shall be sentorial district number ten.

District eleven. The counties of Allen, Edmonson and Warren shall be senatorial district number eleven.

District twelve. The counties of Hardin, Larue, Bullitt and Meade shall be senatorial district number twelve.

District thirteen. The counties of Pike, Floyd and Knott shall be senatorial district number thirteen.

District fourteen. The counties of Nelson, Washington, Marion, Taylor and Green shall be senatorial district number fourteen.

District fifteen. The counties of Pulaski, Whitley and McCreary shall be senatorial district number fifteen.

District sixteen. The counties of Clinton, Cumberland, Monroe, Russell and Wayne shall be senatorial district number sixteen.

District seventeen. The counties of Knox, Laurel and Bell shall be senatorial district number seventeen.

District eighteen. The counties of Boyle, Garrard, Casey and Lincoln shall be senatorial district number eighteen.

District nineteen. The counties of Barren, Metcalfe and Adair shall be senatorial district number nineteen.

District twenty. The counties of Franklin, Anderson, Mercer and Spencer shall be senatorial district number twenty.

District twenty-one. The counties of Shelby, Oldham, Henry, Trimble and Carroll shall be senatorial district number twenty-one.

District twenty-two. The counties of Jessamine, Scott and Woodford shall be senatorial district number twenty-two.

District twenty-three. The part of Jefferson County which is bounded and described as follows:

Beginning on the north shore of the Ohio River at low water where Eighteenth Street if extended would intersect; thence southwestwardly with the center line of Eighteenth Street extended and Eighteenth Street to center line of Portland Avenue; thence southeastwardly with the center line of Portland Avenue to the center line of Eighteenth Street; thence southwestwardly and southwardly with the center line of Eighteenth street to the center line of Rowan street; thence west with the center line Rowan Street to the center line of Twenty-fourth Street; thence south with the center line of Twenty-fourth Street to the center line of Main Street; thence west with the center line of Main Street to the old city boundary line of 1893; thence south with the old city boundary line of 1893, to the center line of the first alley south of Market Street; thence west with the center of the first alley south of Market Street to the Kentucky and Indiana Terminal Railroad Company right of way; thence in a southwardly direction with the center line of the Kentucky and Indiana Terminal Railroad Company right of way to a point 200 feet south of Broadway; thene east along a line 200 feet south of Broadway to the old city boundary line of 1893; thence north along the old city boundary line of 1893 to the center line of Elliott Avenue; thence east with the center line of Elliott Avenue to the center line of Twenty-sixth Street; thence south with the center line of Twenty-sixth Street to the center line of the first alley north of Broadway; thence east with the center line

of the first alley north of Broadway to the center line of Twenty-fourth Street; thence south with the center line of Twenty-fourth Street to the center line of Broadway; thence east with the center line of Broadway to the center line of Dixie Highway; thence southwestwardly with center line of Dixie Highway to the present city boundary line; thence northwestwardly, northwardly, northwestwardly and southwestardly along the present city boundary line and the present city boundary line extended to the west shore of the Ohio River at low water; thence northwardly, northeastwardly and southeastwardly along the west and north shore of the Ohio River at low water to a point where Eighteenth Street if extended would intersect, which is the point of beginning.

District twenty-four. The county of Kenton shall be senatorial district number twenty-four.

District twenty-five. The county of Campbell shall be senatorial district number twenty-five.

District twenty-six. The counties of Owen, Grant, Pendleton, Boone and Gallatin shall be senatorial district number twenty-six.

District twenty-seven. The county of Fayette shall be senatorial district number twenty-seven.

District twenty-eight. The counties of Bourbon, Clark and Montgomery shall be senatorial district number twenty-eight.

District twenty-nine. The counties of Rockcastle, Jackson, Estill, Madison and Owsley shall be senatorial district number twenty-nine.

District thirty. The counties of Harrison, Nicholas, Bracken and Robertson shall be senatorial district number thirty.

District thirty-one. The counties of Mason, Fleming, Bath, Rowan, Menifee and Powell shall be senatorial district number thirty-one.

District thirty-two. The counties of Lewis, Carter,

Greenup and Elliott shall be senatorial district number thirty-two.

District thirty-three. The counties of Harlan, Letcher, Perry, Leslie and Clay shall be senatorial district number thirty-three.

District thirty-four. The counties of Morgan, Magoffin, Wolfe, Breathitt and Lee shall be senatorial district number thirty-four.

District thirty-five. The counties of Boyd, Lawrence, Johnson and Martin shall be senatorial district number thirty-five.

District thirty-six. The part of Jefferson County which is bounded and described as follows:

Beginning at a point on the north shore of the Ohio River at low water where the present city boundary line (east of the Cut Off Road) if extended, would intersect; thence southeast, northeast, southeast, northeast, southeast, and southwest with the present city boundary line to a point where it intersects the old city boundary line of 1921 (east of Fenley Avenue); thence southwestwardly with the old city boundary line of 1921 (which is the eastern boundary of the Louisville Water Company property), to the northwest boundary line of the Sacred Heart Academy property; thence southeastwardly, northeastwardly and southeastwardly along the boundary of the Sacred Heart property to the center line of Wentworth Avenue; thence northeast with center line of Wentworth Avenue to the center line of Crabb Lane; thence southeast with center line of Crabb Lane to the center line of Lexington Road; thence northeastwardly with the center line of Lexington Road to the present city boundary line; thence southeastwardly, southwestwardly, northwestwardly, southwestwardly, southeastwardly, southwestwardly, southeastwardly, westwardly, southeastwardly, southwestwardly, westwardly, northwestwardly, southwestwardly, southeastwardly, northeastwardly, southeastwardly, southwestwardly, southeastwardly, and southwestwardly along the present city

boundary line to the center line of Louisville & Nashville Railroad Company right of way; thence northwest along the center line of Louisville & Nashville Railroad Company right of way to the center line of Harlan Street; thence northeast with center line of Harlan Street, if extended to the center line of Floyd Street; thence north with the center line of Floyd Street to the old city boundary line of 1921; thence northeast with the old city boundary line of 1921 to the center line of Arthur Street; thence north with the center line of Arthur Street to the old city boundary line of 1893; thence east along the old city boundary line of 1893 to the center line of Preston Street; thence northwest and north with the center line of Preston Street, to the center line of Broadway; thence west with the center line of Broadway to the center line of Fifth Street; thence south with the center line of Fifth Street to the center line of St. Catherine Street; thence west with center line of St. Catherine Street to the center line of Garvin Place; thence south with the center line of Garvin Place, Garvin Place extended, St. James Court and Fifth Street to the center line of H Street; thence west with the center line of H Street to the center line of Seventh Street; thence south with the center line of Seventh Street to the center line of Central Avenue; thence east with the center line of Central Avenue to the center line of Fourth Street; thence south with the center line of Fourth Street to the center line of old Third Street Road; thence southeast with the center line of old Third Street Road to the old city boundary line of 1921; thence northeast with the old city boundary line of 1921 to the center line of Southern Parkway; thence southwestwardly and southwardly with the center line of Southern Parkway to the center line of Kenwood Way; thence southeast with the center line of Kenwood Way to the center line of Third Street; thence south with the center line of Third Street to the present city boundary line; thence southwestwardly, southeastwardly, southwestwardly, westwardly, northeastwardly, northwardly, eastwardly, north-

westwardly, northeastwardly, northwardly, northwestwardly, northeastwardly, northwestwardly, northeastwardly, northwestwardly, northeastwardly, northwestwardly, northwardly, northwestwardly, and southwestwardly along the present city boundary line and the present city boundary line extended to the west shore of the Ohio River at low water; thence southwardly along the west shore of the Ohio River at low water to a point where Salt River if extended would intersect; thence southeastwardly and northeastwardly with the line of Salt River if extended and Salt River and the Bullitt County line, to where it intersects the Spencer County line; thence northeastwardly with the Spencer County and Shelby County lines to where the Shelby County line intersects the Oldham County line; thence northwestwardly with the Oldham County line and the Oldham County line extended to the north shore of the Ohio River at low water; thence in a general southwestwardly direction with the north shore of the Ohio River at low water, to a point where the present city boundary line (east of the Cut Off Road) if extended would intersect, which is the point of the beginning.

District thirty-seven. The part of Jefferson County which is bounded and described as follows:

Beginning at a point on the north shore of the Ohio River at low water mark where Mill Street, if extended, would intersect; thence southeast with the center line of Mill Street, if extended, and Mill Street to the center line of Wenzel Street; thence south with the center line of Wenzel Street to the center line of Fehr Avenue; thence west with center line of Fehr Avenue to center line of Campbell Street; thence north with center line of Campbell Street to the center line of Main Street; thence west with center line of Main Street to the center line of Shelby Street; thence south with center line of Shelby Street to the center line of the first alley south of Market Street; thence west with the center line of the first alley south of Market Street to the center line of Clay Street; thence south with the center line of

Clay Street to the center line of Marshall Street; thence west with the center line of Marshall Street to the center line of Hancock Street; thence south with the center line of Hancock Street to the center line of Broadway; thence east with the center line of Broadway to the center line of Clay Street; thence south with the center line of Clay Street to the center line of the first alley north of Breckinridge Street; thence east with the center line of the first alley north of Breckinridge Street to the center line of Shelby Street; thence south with the center line of Shelby Street to the center line of Breckinridge Street; thence west with the center line of Breckinridge Street to the center of the first alley west of Shelby Street; thence south with the center line of the first alley west of Shelby Street to the center line of Kentucky Street; thence west with the center line of Kentucky Street to the center line of Hancock Street; thence south with the center line of Hancock Street, Hancock Street extended, and Hancock Street to the center line of Knapp Street; thence northeast with the center line of Knapp Street to the center line of Shelby Street; thence south with the center line of Shelby Street to the old city boundary line of 1893; thence east along the city boundary line of 1893 to the center line of Hickory Street; thence southwest with the center line of Hickory Street and Hickory Street, if extended, to the center line of Delor Avenue; thence southeast with the center line of Delor Avenue to the old city boundary line of 1921; thence southwest along the city boundary line of 1921 to the center line of Shelby Street; thence southeast with the center line of Shelby Street to the present city boundary line; thence northeast, southeast, northeast, southeast, east, northeast, northwest, east, northwest, northeast, northwest, northeast, southeast, northeast and northwest along the present city boundary line to the center line of Lexington Road; thence southwest with the center line of Lexington Road to the center line of Crabbs Lane; thence northwest with the center line of Crabbs Lane to the center line of Wentworth Avenue; thence

southwest with the center line of Wentworth Avenue to the easterly line of the Sacred Heart Academy property; thence northwesterly, southwestwardly and northwestwardly with the lines of the Sacred Heart Academy property to the old city boundary line of 1921; thence with the old city boundary line of 1921, which is east of the Louisville Water Company property in a general northerly and northeastwardly direction to the present city boundary line of the city of Louisville (northeast of Fenley Avenue); thence northeast, northwest, southwest, northwest, southwest, and northwest with the present city boundary line and the present city boundary line extended to the north shore of the Ohio River at low water; thence southwest along the north shore of the Ohio River at low water to a point where Mill Street if extended would intersect, which is the point of beginning.

District thirty-eight. The part of Jefferson County which is bounded and described as follows:

Beginning at a point on the north shore of the Ohio River at low water where Mill Street, if extended, would intersect; thence southeast with the center line of Mill Street, if extended, and Mill Street, to the center line of Wenzel Street; thence south with the center line of Wenzel Street to the center line of Fehr Avenue; thence with center line of Fehr Avenue to center line of Campbell Street; thence north with center line of Campbell Street to the center line of Main Street; thence west with the center line of Main Street to the center line of Shelby Street; thence south with the center line of Shelby Street to the center line of the first alley south of Market Street; thence west with the center line of the first alley south of Market Street to the center line of Clay Street; thence south with the center line of Clay Street to the center line of Marshall Street; thnce west with the center line of Marshall Street to the center line of Hancock Street; thence south with the center line of Hancock Street to the center line of Broadway; thence east with the center line of Broadway to the center line of Clay Street; thence south with the center line of

Clay Street to the center line of the first alley north of Breckinridge Street; thence east with the center line of the first alley north of Breckinridge Street to the center line of Shelby Street; thence south with the center line of Shelby Street to the center line of Breckinridge Street; thence west with the center line of Breckinridge Street to the center line of the first alley west of Shelby Street; thence south with the center line of the first alley west of Shelby Street to the center line of Kentucky Street; thence west with the center line of Kentucky Street to the center line of Hancock Street; thence south with the center line of Hancock Street, Hancock Street extended, and Hancock Street to the center line of Knapp Street; thence northeast with the center line of Knapp Street to the center line of Shelby Street; thence south with the center line of Shelby Street to the old city boundary line of 1893; thence east along the city boundary line of 1893, to the center line of Hickory Street; thence southwest with the center line of Hickory Street and Hickory Street extended to the center line of Delor Avenue; thence southeast with the center line of Delor Avenue to the old city boundary line of 1921; thence southwest along the city boundary line of 1921 to the center line of Shelby Street; thence southeast with the center line of Shelby Street to the present city boundary line; thence southwest, southeast, northeast, southeast, southwest, southeast and southwest along the present city boundary line to the Louisville & Nashville Railroad Company right of way; thence northwest along the center line of Louisville & Nashville Railroad Company right of way to the center line of Harlan Street; thence northeast with the center line of Harlan Street if extended to the center line of Floyd Street; thence north with center line of Floyd Street to the old city boundary line of 1921; thence northeast with the old city boundary line of 1921 to the center line of Arthur Street; thence north with the center line of Arthur Street to the old city boundary line of 1893; thence east along the old city boundary line of 1893 to the

center line of Preston Street; thence northwest and north with the center line of Preston Street to the center line of Broadway; thence west with the center line of Broadway to the center line of Fifth Street; thence south with the center line of Fifth Street to the center line of St. Catherine Street; thence west with the center line of St. Catherine Street to the center line of Garvin Place; thence south with the center lines of Garvin Place, Garvin Place extended to St. James Court and Fifth Street to the center line of "H" Street; thence west with the center line of "H" Street to the center line of Seventh Street; thence south with center line of Seventh Street to the center line of Central Avenue; thence east with the center line of Central Avenue to the center line of Fourth Street; thence south with the center line of Fourth Street to the center line of the old Third Street Road; thence southeast with the center line of the old Third Street Road to the old city boundary line of 1921; thence northeast with the old city boundary line of 1921 to the center line of Southern Parkway; thence southwestwardly and southwardly with the center center line of Southern Parkway to the center line of Kenwood Way; thence southeastwardly with the center line of Kenwood Way to the center line of Third Street; thence south with the center line of Third Street to the present city boundary line; thence southwestwardly, southeastwardly, southwestwardly, westwardly, northwestwardly, northwardly, eastwardly, northwestwardly, northeastwardly, northwardly, northwestwardly, northeastwardly, northwestwardly, northeastwardly, northwestwardly, northeastwardly and northwestwardly along the present city boundary line to the center line of Dixie Highway; thence northeastwardly with the center line of Dixie Highway to the center line of Broadway; thence west with the center line of Broadway to the center line of Twenty-fourth Street; thence north with the center line of Twenty-fourth Street to the center of the first alley north of Broadway; thence west with the center line of the alley north of Broadway to the center line of Twenty-sixth Street; thence north

with the center line of Twenty-sixth Street to the center line of Elliott Avenue; thence west with the center line of Elliott Avenue to the old city boundary line of 1893; thence south with old city boundary line of 1893 to a point 200 feet south of Broadway; thence west along a line of 200 feet south of Broadway to the center line of Kentucky and Indiana Terminal Railroad Company right of way; thence in a northwardly direction along the center line of the Kentucky and Indiana Terminal Railroad Company right of way to the center line of the first alley south of Market Street; thence east with the center line of the first alley south of Market Street to the old city boundary line of 1893; thence north with the old city boundary line of 1893 to the center line of Main Street; thence east with the center line of Main Street to the center line of Twenty-fourth Street; thence north with the center line of Twenty-fourth Street to the center line of Rowan Street; thence east with the center line of Rowan Street to the center line of Eighteenth Street; thence northwardly and northeastwardly with the center line of Eighteenth Street to the center line of Portland Avenue; thence northwestwardly with the center line of Portland Avenue to the center line of Eighteenth Street; thence northeastwardly with the center line of Eighteenth Street and Eighteenth Street if extended to the north shore of the Ohio River at low water; thence in a general southeast direction of the north shore of the Ohio River at low water mark to a point where Mill Street if extended would intersect, which is the point of beginning.

All acts and laws in conflict herewith to the extent of such conflict are hereby repealed.

Mr. Everhart offered the following Amendment to said bill, viz.:

Amend Senate Bill No. 390 by striking out all of same, beginning with line 6 and ending with line 340, inclusive, and substituting in lieu therefor, the following:

District No. One. The counties of Carlisle, Hickman, Fulton and Graves shall be Senatorial District No. One.

District No. Two. The counties of Ballard, McCracken and Marshall shall be Senatorial Distirct No. Two.

District No. Three. The counties of Calloway, Lyon, Trigg and Livingston shall be Senatorial District No. Three.

District No. Four. The counties of Crittenden, Union, Webster and Caldwell shall be Senatorial District No. Four.

District No. Five. The counties of Henderson and Daviess shall be Senatorial District No. Five.

District No. Six. The counties of Christian and Hopkins shall be Senatorial District No. Six.

District No. Seven. The counties of Muhlenberg, Ohio and McLean shall be Senatorial District No. Seven.

District No. Eight. The counties of Cumberland, Clinton, Russell and Wayne shall be Senatorial District No. Eight.

District No. Nine. The counties of Logan, Simpson, Todd and Butler shall be Senatorial District No. Nine.

District No. Ten. The counties of Hancock, Breckinridge, Grayson, Hart, Meade and Edmonson shall be Senatorial District No. Ten.

District No. Eleven. The counties of Allen, Warren and Monroe shall be Senatorial District No. Eleven.

District No. Twelve. The counties of Hardin, LaRue, Bullitt and Nelson shall be Senatorial District No. Twelve.

District No. Thirteen. The counties of Pike, Martin, and Floyd shall be Senatorial District No. Thirteen.

District No. Fourteen. The counties of Washington, Marion, Taylor, Green, Barren and Metcalfe shall be Senatorial District No. Fourteen.

District No. Fifteen. The counties of Pulaski, Rockcastle and McCreary shall be Senatorial District No. Fifteen.

District No. Sixteen. The counties of Bell and Leslie shall be Senatorial District No. Sixteen.

District No. Seventeen. The counties of Laurel, Knox, and Whitley shall be Senatorial District No. Seventeen.

District No. Eighteen. The counties of Casey, Lincoln, Boyle and Adair shall be Senatorial District No. Eighteen.

District No. Nineteen. The counties of Harlan and Letcher shall be Senatorial District No. Nineteen.

District No. Twenty. The counties of Franklin, Anderson, Mercer, Spencer and Woodford shall be Senatorial District No. Twenty.

District No. Twenty-One. The counties of Shelby, Oldham, Henry, Trimble, Carroll and Owen shall be Senatorial District No. Twenty-One.

District No. Twenty-Two. The county of Kenton alone shall be Senatorial District No. Twenty-Two.

District No. Twenty-Three. The county of Campbell shall be Senatorial District No. Twenty-Three.

District No. Twenty-Four. The counties of Harrison, Grant, Pendleton, Boone and Gallatin shall be Senatorial District No. Twenty-Four.

District No. Twenty-five. The county of Fayette shall be Senatorial District No. Twenty-five.

District No. Twenty-six. The counties of Bourbon, Clark, Montgomery, and Scott shall be Senatorial District No. Twenty-six.

District No. Twenty-seven. The county of Jackson, Owsley, Powell, Lee and Clay shall be Senatorial District No. Twenty-Seven.

District No. Twenty-eight. The counties of Nicholas, Bracken, Robertson, Mason, and Fleming shall be Senatorial District No. Twenty-eight.

District No. Twenty-nine. The counties of Bath, Rowan, Menifee, Elliott, Morgan and Wolfe shall be Senatorial District No. Twenty-nine.

District No. Thirty. The counties of Lewis, Carter and Greenup shall be Senatorial District No. Thirty.

District No. Thirty-one. The counties of Magoffin,

Breathitt and Johnson shall be Senatorial District No. Thirty-one.

District No. Thirty-two. The counties of Boyd and Lawrence shall be Senatorial District No. Thirty-two.

District No. Thirty-three. The counties of Madison, Garrard, Jessamine and Estill shall be Senatorial District No. Thirty-three.

District No. Thirty-four. The 34th Senatorial District shall be composed of the present First and Second Wards of the City of Louisville.

District No. Thirty-five. The 35th Senatorial District shall be the present Third, Fourth and Fifth Wards of the City of Louisville.

District No. Thirty-six. The 36th Senatorial District shall be composed of the present Sixth, Seventh and Eighth Wards of the City of Louisville.

District No. Thirty-Seven. The 37th Senatorial District shall be composed of the present Ninth, Tenth and Eleventh Wards of the City of Louisville.

District No. Thirty-Eight. The 38th Senatorial District shall be composed of the present Twelfth Ward of the City of Louisville and all of that portion of Jefferson County outside of the corporate limits of the City of Louisville.

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz..

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	T. R. McRoberts
E. S. Allison	J. O. Evans	Henry Meiman
W. O. Baxter	Kelly J. Francis	B. T. Morris
S. A. Blackburn	John B. Furlong	Tyler F. Munford
D. C. Bradley	Ralph Gilbert	L. B. Murphy
John Young Brown	F. A Gnau	M. L. Napier
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	Rev. B. L. Hargrove	H. L. Nickell
James A. Campbell	J. F. Harrison	James I. Peters
Lee Clark	Robt. L. Horn	W. E. Randall
Elmer Cook	C. E. Houk	Denny P. Smith
Leonard Cook	R. L. Jackson	D. O. Stanley
W. W. Cooper	Theron M. Johnson	Frank L. Strange
Ben L. Cox	J. R. Johnston	Elmer J. Terry
H. G. Crabtree	M. F. Jordan	J. A. Thompson
G. Cunningham	John B. Klefot	J. D. Via
William J. Curtis	Frank LeBus	J. E. Walters
Winn Davis	Martin Light	L. M. Weathers
James R. Dorman	James A. May	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	H. R. Marquette	C. B. Truesdell
Bradley Combs	J. D. Patton	Speed H. Tye
W. C. Dugan	John H. Pickett	Robert Williams
Joseph B. Everhart	Dorsey Ratliff	
H. G. Handmaker	Thomas H. Troxel	

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 350. An Act to amend sub-section 8 of section 4281a, Kentucky Statutes, Baldwin's 1928 Supplement, being chapter 111 of an Act of March 26, 1924, as amended by chapter 176 of an Act of March 19, 1926, relating to Inheritance Taxes by providing for a reciprocity clause between this State and other States in respect of personal property tax on intangible personal property of non-resident decedents.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kntucky:

That section 8 of Chapter 111 of the Acts of the General Assembly of 1924, as amended by chapter 176 of the Acts of the General Assembly of 1926, and being Sub-section 8 of section 4281a, Kentucky Statutes, Baldwin's 1928 Supplement to Carroll's Kentucky Statutes, be amended by adding at the conclusion of the first sub-section thereof the following words:

Provided, however, that the tax imposed by this act in respect of personal property of non-residents (except tangible personal property having an actual situs in this State) shall not be payable (a) if the transferor at the time of his death was a resident of a state or territory of the United States which at the time of his death did not impose a transfer tax or death tax of any character in respect of personal property of residents of this State (except tangible personal property having an actual situs in such state or territory), or, (b) if the laws of the state or territory of residence of the transferor at the time of his death contained a reciprocal exemption provision under which non-residents were exempted from transfer taxes or death taxes of every character in respct of personal property (except tangible personal property having

an actual situs therein), provided the state or territory of residence of such non-residents allowed a similar exemption to residents of the state or territory of residence of such transferor. For the purposes of this section the District of Columbia and possessions of the United States shall be considered territories of the United States so that when amended said section shall read as follows:

Section 4281a-8. Transfer tax upon the personal property of non-resident decedents. 1. All shares of stock in corporations organized under the laws of this state and all tangible personal property within the jurisdiction of the state and any interest therein, belonging to persons whose domicile is without the state shall, upon the death of the owner, be subject to a tax of two per centum of its actual value upon its transfer, payment or delivery to the executor, administrator or trustee of the estate of said deceased.

Provided, however, that the tax imposed by this act in respect of personal property of non-residents (except tangible personal property having an actual situs in this State) shall not be payable (a) if the transferor at the time of his death was a resident of a state or territory of the United States which at the time of his death did not impose a transfer tax or death tax of any character in respect of personal property of residents of this State (except tangible personal property having an actual situs in such state or territory), or, (b) if the laws of the state or territory of residence of the transferor at the time of his death contained a reciprocal exemption provision under which non-residents were exempted from transfer taxes or death taxes of every character in respect of personal property (except tangible personal property having an actual situs therein), provided the state or territory of residence of such non-residents allowed a similar exemption to residents of the state or territory of residence of such transferor. For the purposes of this section the District of Columbia and possessions of the United States shall be considered territories of the United States.

§ 2. The above tax shall be enforced and collected by the state tax commission under the same provisions as those applying to the transfer tax on resident decedents. All the duties and penalties heretofore provided shall apply also to the enforcement and collection of this transfer tax on non-resident decedents. When intangible personal property belonging to a decedent non-resident shall be found to be physically located in Kentucky, it shall be the duty of the state tax commission, to so inform the state official collecting the inheritance tax in the State of domicile of the said decedent provided that said State furnishes like information to the Kentucky State Tax Commission in a reciprocal manner.

§ 3. All moneys so collected shall be distributed in like manner as those collected under the resident inheritance tax act.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the negative were—

F. B. Adcock	Bradley Combs	W. C. Dugan
E. S. Allison	Elmer Cook	William A. Eimer
U. G. Anderson	W. W. Cooper	J. O. Evans
W. O. Baxter	Ben L. Cox	Joseph B. Everhart
D. C. Bradley	H. G. Crabtree	Kelly J. Francis
John Young Brown	G. Cunningham	John B. Furlong
J. Watt Brown	William J. Curtis	Ralph Gilbert
John R. Buckman	James R. Dorman	L. B. Hamilton
James A. Campbell	S. J. Douthitt	H. G. Handmaker
Lee Clark	C. B. Dowling	Rev. B. L. Hargrove

C. E. Houk	Harry J. Meyers	Denny P. Smith
R. L. Jackson	B. T. Morris	Frank L. Strange
J. R. Johnston	Tyler F. Munford	J. A. Thompson
M. F. Jordan	M. L. Napier	Thomas H. Troxel
John B. Klefot	Andrew W. Nichols	C. B. Truesdell
Frank LeBus	H. L. Nickell	Speed H. Tye
Fred V. Lucas	J. D. Patton	J. D. Via
H. R. Marquette	James I. Peters	J. E. Walters
James A. May	John H. Pickett	L. M. Weathers
T. R. McRoberts	W. E. Randall	G. W. Wigginton
Henry Meiman	Dorsey Ratliff	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 39. Resolution authorizing the Kentucky Road Construction Company to sue the Commonwealth.

Said resolution is as follows, viz.:

Whereas, a controversy exists between the Kentucky Road Construction Company, a corporation of Frankfort, Kentucky, and the Highway Commission of the Commonwealth of Kentucky, over a settlement for work done and performed by said Kentucky Road Construction Company under contract for the said Highway Commission on State Project No. 5-F, No. 5-F-1, No. 5-G-1 and No. 5-G-2, sometimes known as the Middlesboro-Pruden Road in Bell County, Kentucky,

a grade and drain and concrete bridge and culvert job, a total mileage of 13.85 miles, and said parties are not able to arrive at a mutaul settlement of the amount of money still due the Kentucky Road Construction Company;

Now, in order to determine by judicial action the amount that is still due and owing the said Kentucky Road Construction Company by the Commonwealth of Kentucky through her State Highway Commission for the work done and labor performed on said grade and drain and concrete road construction work:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Kentucky Road Construction Company, a corporation of Frankfort, Kentucky, is hereby authorized to institute a suit in the Franklin Circuit Court against the Commonwealth of Kentucky by and through her State Highway Commission to recover any amount of money that may be due said Kentucky Road Construction Company for work done and labor performed by it as contractor in the construction of the 13.85 miles of grade and drain and concrete bridge and culvert work on the Middlesboro-Pruden Road in Bell County, Kentucky, also known as State Project No. 5-F, No. 5-F-1, No. 5-G-1, and No. 5-G-2, and any sum or judgment which it may obtain in said Franklin Circuit Court shall be paid by the Auditor of Public Accounts by warrant on the Treasurer drawn upon the State Highway road funds, but the amount of the judgment shall not exceed the sum of $50,000.00.

§ 2. Any action begun under this authority shall be commenced within one year after the effective date hereof.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	B. T. Morris
U. G. Anderson	William A. Eimer	Tyler F. Munford
W. O. Baxter	J. O. Evans	Andrew W. Nichols
D. C. Bradley	Kelly J. Francis	H. L. Nickell
John Young Brown	John B. Furlong	J. D. Patton
J. Watt Brown	Ralph Gilbert	James I. Peters
James A. Campbell	L. B. Hamilton	John H. Pickett
Lee Clark	H. G. Handmaker	W. E. Randall
Bradley Combs	Robt. L. Horn	Denny P. Smith
Elmer Cook	C. E. Houk	D. O. Stanley
Leonard Cook	R. L. Jackson	Frank L. Strange
W. W. Cooper	J. R. Johnston	J. A. Thompson
Ben L. Cox	M. F. Jordan	Thomas H. Troxel
H. G. Crabtree	Frank LeBus	Robert Williams
William J. Curtis	Martin Light	C. B. Truesdell
Winn Davis	H. R. Marquette	H. Speed Tye
G. Cunningham	James A. May	J. D. Via
James R. Dorman	T. R. McRoberts	L. M. Weathers
S. J. Douthitt	Henry Meiman	G. W. Wigginton

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled a bill of the following title, viz.:

H. B. 92. An Act appropriating money for the operation, maintenance of the various departments, boards, commissions and institutions of the Commonwealth of Kentucky.

Thereupon all other business was suspended, said bill was read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker in open session and in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bill to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bill, duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk of this House deliver said bill to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. LeBus of the Committee on Rules moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

SATURDAY, MARCH 8, 1930.

The House was opened with prayer by the Reverend Father Edward G. Klosterman of the Roman Catholic Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock
E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Garland Embry
J. O. Evans
Joseph B. Everhart
Virgil Eversole
Kelly J. Francis
John B. Furlong
Ralph Gilbert
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Frank LeBus
Martin Light
Fred V. Lucas
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Geo. R. McIntosh
T. R. McRoberts
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
Tyler F. Munford
L. B. Murphy
M. L. Napier
Andrew W. Nichols
H. L. Nickell
Fred A. Nolte
Caleb A. Page
Curtis F. Park
J. D. Patton
James I. Peters
John W. Preston
W. E. Randall
Denny P. Smith
D. O. Stanley
Frank L. Strange
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
Dr. Vallandingham
J. D. Via
J. E. Walters
L. M. Weathers
G. W. Wigginton
Robert Williams
J. S. Milliken, Spkr.

Mr. LeBus of the Committee on Rules moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. LeBus of the Committee on Rules moved that the session of today be extended indefinitely.

Mr. LeBus of the Committee on Rules, moved that when the hour of two o'clock P. M. arrives today that the House do then adjourn.

Said motion was agreed to.

Ordered that Messrs. Dunn, Ratliff and Vallandingham be granted a leave of absence.

Mr. LeBus of the Committee on Rules moved that the House do now take up for consideration from the Clerk's desk, a bill entitled:

H. B. 493. An Act designating the 14th day of June of each year to be known as "Flag Day."

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the day said bill.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ That the 14th day of the year 1930, and the 14th day of June of each year thereafter is hereby designated as "Flag Day," and the same shall be so recognized and observed as a law of this State, as hereinafter provided.

§ 2. That the Flag of the United States of America be displayed on the main administration buildings of every public institution.

§ 3. That the Flag of the United States of America, with staff or flagpole, be provided for every schoolhouse, and that the Flag be displayed during school days, either from the flagstaff or, in inclement weather, within the school building.

§ 4. That printing or lettering of any kind on the Flag of the United States of America, be prohibited.

§ 5. That the use of the Flag of the United States of America, for advertising purposes in any manner be prohibited.

§ 6. That hereafter any person who, within the Commonwealth of Kentucky, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing or any advertisement of any nature upon any flag, standard, colors or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors or ensign upon which shall have been printed, painted or otherwise placed, or to which shall be attached, appended, affixed or annexed any word, figure, mark, picture, design or drawing, or any advertisement of any nature; or who, within the Commonwealth of Kentucky, shall manufacture, sell, expose for sale or to public view or give away or have in possession for sale or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached or otherwise placed a representation of any such flag, standard, colors or ensign, to advertise, call attention to, decorate, mark or distinguish the article or substance on which so placed; or who, within the Commonwealth of Kentucky, shall publicly mutilate, deface, defile, or defy, trample upon or cast contempt, either by word or act, upon any such flag, standard, colors or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100.00 or by impris-

onment for not more than thirty days, or both, in the discretion of the Court.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. C. Dugan	Joseph Martin
U. G. Anderson	William A. Eimer	James A. May
S. A. Blackburn	J. O. Evans	T. R. McRoberts
D. C. Bradley	Joseph B. Everhart	Henry Meiman
T. L. Britton	Virgil Eversole	Harry J. Meyers
J. Watt Brown	Kelly J. Francis	B. T. Morris
John R. Buckman	John B. Furlong	M. L. Napier
Dr. R. A. Byers	Ralph Gilbert	H. L. Nickell
James A. Campbell	L. B. Hamilton	Caleb A. Page
Lee Clark	H. G. Handmaker	Curtis F. Park
Bradley Combs	Rev. B. L. Hargrove	J. D. Patton
Elmer Cook	Robt. L. Horn	John W. Preston
W. W. Cooper	C. E. Houk	W. E. Randall
Ben L. Cox	R. L. Jackson	Denny P. Smith
H. G. Crabtree	J. Roy Johnson	D. O. Stanley
G. Cunningham	Theron M. Johnson	Frank L. Strange
William J. Curtis	J. R. Johnston	Elmer J. Terry
Winn Davis	M. F. Jordan	C. B. Truesdell
E. C. Dennington	Frank LeBus	J. E. Walters
James R. Dorman	Martin Light	L. M. Weathers
S. J. Douthitt	Fred V. Lucas	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Lebus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 354. An Act to enable any city of the first class which has adopted a major street plan to, at any time or times ond as often as it may desire, in its discretion, widen, alter, or extend any major street or streets or open or establish new major streets in accordance with and as required by said plan or any part or all of said major street or streets and to provide a method for the condemnation of property for any or all of such purposes and to create special taxing districts embracing all of the property in the vicinity of such improvement benefited thereby, and to charge and assess the costs of said improvement, including land, construction, reconstruction and all other expenses incident thereto against the owners of property benefited by such improvement, and to make such special taxes a prior lien on the property so benefited in priority immediately after state and county taxes and the ordinary city taxes thereon, and to enable said city to apply to the collection of such taxes the provisions of Section 2839 of the Kentucky Statutes.

With a Committee Amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The short title of this Act shall be "Major Street Improvement Act."

§ 2. That where any city of the first class in this Commonwealth has adopted a major street plan, in accordance with a comprehensive plan of said city, and shall at any time or times, in pursuance of said plan, desire to widen, after, or extend and improve any such major street or streets, in accordance with said plan or any definite part or parts of any such street or streets or shall desire at any time or times in pursuance of said major plan to lay out and improve any new major street or streets, as required by said plan, it may do so in the manner provided by this Act.

§ 3. At any time when recommended by the Planning and Zoning Commission, the Director of Works may cause to be prepared an ordinance defining the extent and boundary of the street to be widened, altered, or extended and improved, if an old street, or if a new street, to be opened and improved, and shall further specify the width of the street, from property line to property line, and the width and location of the carriageway, and the character of the construction or reconstruction required.

The ordinance defining the improvement shall also prescribe the limits of a local benefit assessment area or taxing district upon which the cost of the entire project is to be assessed and paid for. Accompanying said ordinance and as part thereof, the Director of Works shall cause the City Engineer to make a plat and survey, showing first the character, course and extent of the proposed improvement and the property necessary to be taken or interfered with thereby, and the name of the owner and the lot and block number, as shown in the City Assessor's Office, of each parcel of such property, if the name of the owner is known, if not, it shall be marked unknown and shall further show the amount of land taken from each owner; and contain such further statement as may, in the opinion of the Director of Works, be proper to explain such survey, and the character and extent of the proposed improvement, and said plat and survey shall

further show the propsed taxing district and the proposed character, course, and extent of same, and the specific property embraced therein, which it is believed is benefited by, and its value increased by said improvement, together with the name of the owner and the lot and block number of each parcel of such property, if the name of the owner is known, if not, it shall be marked as unknown; and shall contain such further statement as, in the opinion of the Director of Works, is proper and necessary to explain such plat and survey, and the character and extent of the proposed taxing district. After said ordinance has been introduced in the legislative body, it shall be the duty of said body to give notice by publication in a newspaper of general circulation in such city, containing the essential specifications in the premises to give the owners of the property embraced in the taxing district, and all persons having an interest in, lien upon, or claim against said property, notice of the pendency of such ordinance before the legislative body, and to fix a time whereat the legislative body, will give a public hearing to everyone affected by said improvement, either directly or indirectly, before the passage of such ordinance. After such hearing, the legislative body may adopt such ordinance at their next regular meeting, or if not satisfied with same, may refer same back to the Director of Works and the Planning and Zoning Commission, with their recommendations. If such recommendations meet with the approval of the Director of Works and the Planning and Zoning Commission, they shall prepare an ordinance in accordance therewith, and the same may be regularly introduced and passed without further hearing. After the adoption of said ordinance, the same, together with the plat and survey, shall be held to show the character and extent of the improvement actually agreed upon and ordered by the legislative body, and the character and extent of the proposed taxing district to pay for the improvement aforesaid, as agreed upon and ordered by the legislative body.

§ 4. In order to establish said taxing district, the Director of Works is authorized, with the approval of the Mayor, to employ such experts as may be necessary to advise him in the preparation and to further advise the Council in determining the probable amount of benefit to each piece of property in the taxing district.

§ 5. After the adoption of the ordinance and plat by the legislative body of the City, it shall be the duty of the City Attorney to file a petition in the Circuit Court of the County in which said City is situated. In this action the City shall be the plaintiff, and the owners of all property sought to be taken shall be named as defendants, together with any other person or persons having an interest in or lien upon, or a claim to the property sought to be taken. The city Attorney may also, in his discretion, name as defendants all persons having property in the taxing district, whose property is claimed to be benefited by the improvement.

Process against the defendants whose property is sought to be taken shall be the same and returnable at the same time as under the civil process in actions in the Circuit Court, and the City Attorney may, in his discretion, cause process to be issued and returned against any or all of the defendants in the taxing district whose property is claimed to be benefited, or the City Attorney may, in his discretion, bring all defendants whose land is not taken but whose property is claimed to be benefited by the improvement, before the Court, by publication and notice at the time and in the manner hereinafter set out.

The body of the petition shall state that it is filed under this Act, shall give the general terms and tenor of the ordinance of the legislative body, and shall file a copy of the ordinance, including the plat and survey, officially attested by the Director of Works and the City Engineer. The petition shall further state the boundary of the proposed improvement and the boundary of the proposed taxing district, but it shall

not be necessary to describe the particular parcels of land sought to be taken or the particular parcels of land claimed to be benefited, but the plat shall be treated and considered as showing thereon the boundary and description of each parcel of property. The petition will conclude with a prayer that the property sought to be condemned, be taken and the damages for such taking adjudged, and the proposed taxing district be established, and the benefits to and the increase in value of each piece of property in said district be ascertained and adjudged, and for any other relief, general or special, that may be desired. The petition shall be signed by the City Attorney, but verification shall not be required.

§ 6. At any time after the filing of the petition, on motion of the plaintiff, the Court shall appoint three (3) viewers and appraisers, who shall be resident freeholders of said City, and who are in no way interested in the action and not of kin in the second degree of consanguinity to any person owning land proposed to be taken. Upon their appointment, the viewers and appraisers shall take an oath before the Court to faithfully perform their duties under this Act. They shall then give notice by publication of the time and place at which they will meet for the purpose of appraising damages to the property sought to be taken. Said notice shall contain a substantial description showing the boundaries which comprehend the land in the aggregate to be taken for the entire improvement, and shall be addressed generally: "To all persons owning land or having any interest in land," lying within the boundary sought to be taken. At the time and place mentioned in the notice, the viewers and appraisers shall meet and examine each piece of property proposed to be taken and they shall ascertain the direct damage to each property owner from such taking, and state same as to each parcel and to each owner, giving each item of damage allowed and the amount thereof, and they shall then ascertain and state the consequential damage, if any, and make an itemized statement thereof,

and they may adjourn their meeting from day to day or from time to time, by making public announcement at the conclusion of any day's meeting of the time and place at which the next meeting will be held. After the appraisement of damages shall be completed, the viewers and appraisers shall file in Court, in the action, a complete and itemized report covering each piece of property sought to be taken.

Any property owner whose property is sought to be taken may appear at any meeting of the viewers and appraisers and present to the viewers and appraisers any evidence of the damage or injury to the property he may desire, and the City may present to said viewers and appraisers any evidence on the damage to any piece of property that it may desire. After ascertaining the damages aforesaid, it shall then be the duty of the viewers and appraisers to give a similar notice, by publication, of the time and place in which they will meet to assess and determine the benefits to property in said taxing district. This notice shall contain the boundary of the taxing district to be addressed generally: "To all persons owning land," within said boundary; at the time and place fixed in said notice the said viewers and appraisers shall meet and view each specific piece of property in the proposed taxing district and ascertain as to each piece of property therein the increase in value of said property by reason of said improvement, and make an itemized statement thereof. If, in the opinion of the viewers, any piece of property embraced in the taxing district is not benefited by said improvement, they shall so state and make no recommendation.

If the viewers shall find that property outside of the benefited district, proposed by the ordinance, is benefited by the proposed improvement, they may so report to the Court, and the amount of benefit as to each piece of property, and the Court may, by order, add same to the taxing district. If no property is recommended by the viewers and appraisers to be added to their report, then they shall, in each report, state

that no private property except as specifically found in the report made, is benefited by the proposed improvement, and it shall not be necessary for them to report their reasons or findings as to any property omitted in the report within the benefited district, as fixed by the ordinance, but the Court may, for cause, require a report as to any specific piece omitted.

Any property owner in said district may appear before said viewers and appraisers and submit any evidence concerning the benefit to his said property, that he may desire, and the City may similarly submit evidence. After final ascertainment of the benefits in said taxing district, the viewers shall make true report to the Court as to their findings as to each piece of property in said taxing district. Each of the foregoing reports shall be filed within thirty days after the appointment of the viewers and appraisers unless the Court shall, for cause, extend the time.

§ 7. Where the owner of any property sought to be taken is unknown, or where the owner of property claimed to be benefited in the taxing district is unknown, they shall be described in the proceeding as unknown defendants, owners of lot Number ..... Block Number ....., on the City Assessor's Maps, and process shall be the same as for unknown defendants under the civil code, provided, however, the City Attorney, in his discretion, may proceed against the unknown owners of a lot in the taxing district by publication as permitted for known owners, in which publication they shall be described as the unknown owners of Lot Number ..... Block Number ....., City Assessor's maps. If the City Attorney has elected to proceed against the owners of property in the taxing district by publication and notices after the viewers' report of benefits has been filed, it shall be his duty to furnish to the Clerk of the Court, the names and addresses of each owner of property in the taxing district, and direct him to give such notice, and it shall thereupon be the duty of the Clerk of the Court to at once give notice, by publication in a daily news-

paper, published in said City, by four insertions, made by one insertion, and one inserction each successive week thereafter until there shall have been four publications in all, each insertion naming each person whose property is stated by the viewers' report to be benefited by said improvement, and shall further mail, by registered mail, with return card requested, to each property owner at the address given a similar notice. If the name of the owner of the property is unknown, he shall be identified in the notice as "unknown owner of Lot ....., Block ....., City Assessor's Maps."

Said notice shall be substantially in the following form:

"Jefferson Circuit Court,
..... Branch
..... Division.
City of ....., - - - - - - Plaintiff,

VS. NOTICE OF PETITION UNDER MAJOR STREET IMPROVEMENT ACT.

....., et al., - - - - - Defendants.

The following named persons will take notice, (here insert names of all persons and addresses given in the viewers' report), that the city of ....., proposes to make a Major Street Improvement, as follows (here insert description of improvement); that to pay the cost of said improvement, said City proposes in this proceeding the establishment of a taxing district of the following boundary, viz.: (here insert boundary of taxing district).

Viewers have been appointed and on viewing same have found that your property lying in said district will be benefited by said improvement, and have fixed the value of such benefit by their report, all of which can be seen by an examination of their report now on file in this case. Said report will remain open for objections and exceptions thereto until the ..... day of ....., ... year. If you have any objections to said report, or desire to contest same, you are hereby

notified to file your exceptions on or before said date, otherwise all objections thereto will be considered and treated as waived, and said report will be confirmed, and the benefit to your property fixed for such taxing purposes against you.

Given under my hand as Clerk of said Court this ..... day of ....., 19.....

.....

Clerk ..... Circuit Court."

After making the publications required, and mailing the notices to property owners, the Clerk shall certify fully to the Court his action in the premises and the notice so given by the publications aforesaid and mailing as aforesaid, shall be treated as the process in the case as to all such defendants, and the certificate of the Clerk as aforesaid as a due return on said process, and all persons so notified shall be treated as before the Court for all purposes of the case, and shall make defense thereto within twenty days after the last publication of the notice.

§ 8. After the report of the viewers and appraisers has been filed, stating the damage to each piece of property, it shall be the duty of each property owner objecting to same, to file exceptions on or before the date allowed for excepting, and if no exceptions shall be filed, then the Court shall confirm said report, and enter judgment thereon as to all not excepting, and upon the City paying into Court or to the property owner the amount of damages ascertained by the report, the City may immediately take possession of said property. If exceptions shall be filed, the Court shall confirm the report as to those not excepting and shall set the exceptions for an early hearing, and the Court may try such exceptions unless a jury be demanded by the property owner, whereupon the Court shall be authorized to summon a jury of freeholders to ascertain the damages. Upon any decision of the Court or verdict of a jury, the property owner or City may appeal to the Court of Appeals, but such appeal shall be prayed at once,

and the appeal lodged in the Court of Appeals, not exceeding fifteen (15) days from the date such appeal is allowed, unless the court shall, for some cause, extend the time.

Upon the ascertainment of damages either by the Court or Jury, the City may pay the amount so ascertained, and take possession of the property, but such payment shall not prevent an appeal by either party, and if by such appeal, the damages to defendant's property are increased the City shall be required to pay the amount of such increase.

After the report has been filed, stating the benefit to each piece of property, it shall be the duty of each property owner, either summoned or notified by publication and by mail, as aforesaid, objecting thereto on or before the date fixed by the Court or given in said notice, to file his exceptions to the report, and upon the date fixed, the Court shall confirm the report as to all not excepting, and enter judgment thereon, and set all exceptions for an early hearing before the Court. Any property owner in the City dissatisfied by a decision of the Court, may appeal to the Court of Appeals, which said appeal is to be taken at once and lodged in the Court of Appeals not later than 20 days after the judgment. The City shall have the same right of exception and appeal, as granted to the property owners.

§ 9. Each report of the viwers and appraisers shall be filed in open court, at a joint session day, and after being regularly docketed and at said time, the Court shall enter an order laying each report over for exceptions to a fixed day; the report as to damages shall be laid over for exceptions not earlier than twenty (20) days thereafter, and the report as to benefits not earlier than sixty (60) days thereafter. Either time may be extended by the Court tor cause; within thirty (30) days aftr the filing of the viewers' report, the clerk of the Court shall have completed the giving of the notice and the making of his certificate thereon. If, for any reason, he should fail to complete same, within the time herein allowed,

the Court shall, by order, extend the time for exceptions to the report of benefits to such date as assures to those notified twenty (20) days of time intervening between the last date of the publication and the last date of filing exceptions to said report.

§ 10. To facilitate Jury trials, the Court may send the parties and witnesses to any of the common law Courts for immediate trial; to facilitate appeals, the party objecting to the decision of the Court, or the verdict of a Jury, shall, within three juridical days after the day of trial, file with the Court, an assignment of the errors complained of. The Court shall examine same and if convinced that an error has been committed, a new trial may be granted and the case set for an early date. If the Court finds no error, then he shall grant an appeal to the Court of Appeals, and it shall only be necessary to take to the Court of Appeals such parts of the record as apply to the errors complained of—otherwise than stated herein, the procedure in the entire case shall be governed by the Code of Civil Practice.

§ 11. After the institution of any action under this Act, the City may, from time to time, file therein any additional or supplemental petition that may be necessary pursuant to and in conformity with any ordinance or ordinances that have been duly recommended by the City Planning and Zoning Commission, and the Director of Works, and passed by the legislative body for amendment of the public use, improvement or work defined, designated or proposed by the prior ordinances under which the action was instituted, and this may be done whether the same be an amendment to increase or decrease, or otherwise alter the taking or damaging of any properties or estates therein previously affected, or an amendment or omission of any such properties or estates or for the addition of any properties or estates not theretofore affected, or to increase or add to the burdens for public use; as to all new parties introduced by such amended and supplemental petitions, process shall be

issued and served as heretofore specified in this Act, and the Court or Judge shall make such orders in the cause as may be appropriate to the status of the case by reason of such amendment of the public improvements.

§ 12. In all suits brought under this Act, the viewers and appraisers appointed by the Court shall, upon order of the Judge, file partial reports covering their assessment of damages, or of benefits, or of both, up to the time when such report may be filed, and at any time after such report shall have been filed, as aforesaid, and confirmed, the City may pay into Court the amount of damages assessed, and upon doing so, it shall be entitled to take possession of the property. Such partial reports shall be embodied in the final report made by the viewers and appraisers. Such reports are to be filed at a joint session day of the Court, after the case has been regularly set upon the docket for calling; at which day the Court may fix the time for filing exceptions thereto.

§ 13. The costs of this proceeding shall be paid by the City, except where exceptions are filed and a contest had, either in the Circuit Court or the Court of Appeals, the costs due to such contest shall be adjudged against the unsuccessful party. The Court shall make a reasonable allowance to the viewers and appraisers for their services and to the Clerk of the Court for any services not covered by the Statute, fixing the Clerk's fees. Where fixed by Statute, the fees of all officers for all services are to be as so fixed.

§ 14. The procedure outlined herein is not to be construed technically, but liberally, with a view to give to each party the utmost protection to his rights, constitutional and otherwise, and the Court is authorized to so mold and adopt this procedure to that end.

§ 15. At any time when, within the judgment of the legislative body of such City, it is apparent that the entire improvement can be ultimately carried out and completed, and at this time a sufficient amount of land can be acquired by the

City to justify the beginning of the work of improvement, or any sufficient part of it, and enough persons have been adjudged liable under the report of the viewers to reasonably pay for such work, the City may, by ordinance, direct that the work be done, and the taxing district established to that extent, and it shall not be compelled to wait until the final decision of the Court on exceptions that may have been filed either as to damages or to benefits, but it shall not take any land until it has paid for it, and it shall not assess or collect any tax for any benefit to land, until it shall have been finally decided by the Court that such land is benefited and the amount thereof, and in laying a tax in the district, the City shall advance and pay the proportion of tax that would have been paid by those contesting, if there had been no contest. When such contest has been decided, the persons so contesting shall be compelled to pay their proportion of tax to the City.

§ 16. The improvements mentioned in this Act mean not only the land acquired, but the construction and reconstruction of the street, sidewalks, gutters and every expense connected therewith, including all costs of the action. The sum of the increase in value to each piece of property as finally adjudged by the Court, represents and is the entire assessment of the value of the benefit to all of the property in said taxing district, and the legislative body of said City is authorized to levy a tax or successive taxes on said district to pay for said improvement, but in no event shall the total tax against any piece of property exceed the amount of benefit to said property as fixed by the final judgment of Court.

§ 17. Upon the filing of the petition, the City Attorney shall file in the Clerk's office of the County Court, a Lis Pendens, giving the caption of the suit and number thereof, and names of all defendants in full and the boundary of the proposed improvement, and the boundary of the taxing district, where the owners of property in the taxing district are named

as defendants, all of which shall be a sufficient notice that the property of all the defendants in the action lying within the boundary given, is affected by the suit, and where process is by publication, and notice mailed, then after the filing of the viewers' report, he shall file in the Lis Pendens Book a copy of the notice as published by the Circuit Clerk, and this shall be a sufficient notice to everyone that the property of those named in the notice lying in the boundary of the taxing district, is affected by the suit. The County Clerk shall index in the first instance, the names of all the defendants, and in the second instance, all of those whose names appear in the notice.

§ 18. The provisions of Section 2839 of the Kentucky Statutes, and all amendments thereto, shall be applied to the collection of the tax levied or assessed, as herein provided for the payment of the entire improvement, including land construction, reconstruction, and all other costs and expenses, including the costs of the action.

§ 19. The City shall have power to purchase, without condemnation, any part or all of the property of any person whose property is sought to be taken for the making of the improvement. In the event the City shall purchase more property than required for the improvement, the viewers and appraisers shall appraise for damages, that portoin taken for the improvement, and same shall be paid to the City, as other property owners are paid, and the remaining portion shall be assessed against the City as against any other property holder in the taxing district; such assessment shall constitute a lien at the same time, as provided for a lien on other property in the taxing district, and shall run with the land until paid. The City may sell and convey any excess property that it may acquire.

§ 20. In order to pay for the land purchased or condemned, and to get immediate possession thereof, the City may issue preliminary bonds secured by lien on the assess-

ment of the taxing district, based on the cost of the land, as reported by the viewers and appraisers, and the cost of the construction and reconstruction, as based on an estimate of the City Engineer, but not to exceed the total of the cost of said land, and thirty per cent of the estimated cost of construction. Said preliminary bonds to be exchanged for the permanent bonds issued under Section 2839, Kentucky Statues, after the cost of the entire improvement, both land and construction, has been completed.

§ 21. It shall be the duty of the City Engineer, if called upon by the viewers and appraisers to do so, to furnish them with an estimate of the construction cost of the entire improvement.

§ 22. The City may pay any portion of the improvement that the legislative body may see fit, and the City may advance out of any funds that the legislative body may appropriate for that purpose, money for the improvement, and receive the same back when the taxes and assessments are collected against the benefited district, or out of the proceeds of the sale of bonds, as provided by Section 2839, Kentucky Statutes.

§ 23. No bonds issued under this Act shall constitute a debt against the City, but the holder of said bonds, if the official charged with the duty of collecting same, shall fail to do so, may either sue on the same in their own right or mandamus the officials of the city charged with the duty to collect same.

§ 24. The legislative body of the City may, at any time after the passage of the original ordinance by another ordinance or ordinances recommended by the City Planning and Zoning Commission, and the Director of Public Works, amend the public use, improvement of work defined, designated or proposed by the original ordinance, whether the same be to increase or decrease or otherwise alter the taking or damaging of any properties or estates affected by said previous ordinance, or to amend the omission of any such properties or

estates, or for the addition of any properties or estates not theretofore affected or change, increase, or make addition to any of the burdens for public use, and this shall apply to either the taking of land or to the taxing district, or to any change that may be necessary in the work of construction or reconstruction, or any additions thereto.

§ 25. The City shall have a lien prior to all other liens, excepting the liens only of general, state, county, and city taxes, against each piece of property within the taxing district, for all the taxes that may be levied against the same, from the date said Lis Pendens notice is filed in the office of the County Clerk. After the costs of the entire improvement, both land and construction have been definitely ascertained, the City shall cause to be made, an apportionment based on the benefit adjudged by the Court on each piece of property in said district for its proportionate share, after which, the City shall have a lien for the specific amount of such apportionment against each piece of property, which lien shall include interest on said amount at the rate of six per cent. (6%) per annum, from the date of such apportionment until paid. Any property owner at any time thereafter, desiring to relieve his property from further payment of interest, may pay the amount of said lien, or any balance that may remain on said lien, with interest to date of such payment, and the City shall make due release of the lien against his property.

§ 26. When the apportionment in the preceding section has been made, the same shall be entered upon a special book kept for that purpose in the office of the Director of Finance, and shall contain the name of the owner, date of the apportionment, sufficeint description of the property to identify it, and a space for the release of the lien, when paid. If payment shall be divided in annual installments, there shall be a space to show the date of payment of each installment. The officer or contractor collecting same shall certify same to the Director of Finance, who shall cause same to be entered upon

said book, or any person holding a receipt for such payment can produce said receipt to the Director of Finance, and have same entered upon said book.

§ 27. The City, at any time prior to final judgment in the suit, may repeal any ordinance provided for under this Act, and may dismiss without prejudice any suit brought under said ordinance, and thereafter the City may enact any new ordinance and file any new suit that it may deem proper.

§ 28. This act shall be treated as in no wise exclusive or as repealing any of the Statutes authorizing street improvements, or the assessment or collection of costs of same, but its provisions shall be treated as optional and supplementary only.

§ 29. If any section or any provision of this Act shall be held unconstitutional, it shall not affect the validity of the Act, as a whole, or any other section or provision thereof.

§ 30. This Act shall be liberally construed.

§ 31. All laws or parts of laws in conflict herewith are hereby repealed.

Said Substitute is as follows, viz.:

H. B. 354. An Act to enable any city of the first class which has adopted a major street plan to, at any time or times and as often as it may desire, in its discretion, widen, alter, or extend any major street or streets or open or establish new major streets in accordance with and as required by said plan or any part or all of said major street or streets and to provide a method for the condemnation of property for any or all of such purposes and to create special taxing districts embracing all of the property in the vicinity of such improvement benefited thereby, and to charge and assess the costs of said improvement, including land, construction, reconstruction and all other expenses incident thereto against the owners of property benefited by such improvement, and to make such special taxes a prior lien on the property so benefited in

priority immediately after state and county taxes and the ordinary city taxes thereon, and to enable said city to apply to the collection of such taxes the provisions of Section 2839 of the Kentucky Statutes.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The short title of this Act shall be "Major Street Improvement Act."

§ 2. That where any city of the first class in this Commonwealth has adopted a major street plan, in accordance with a comprehensive plan of said city, and shall at any time or times, in pursuance of said plan, desire to widen, alter, or extend and improve any such major street or streets, in accordance with said plan or any definite part or parts of any such street or streets or shall desire at any time or times in pursuance of said major plan to lay out and improve any new major street or streets, as required by said plan, it may do so in the manner provided by this Act.

§ 3. At any time when recommended by the Planning and Zoning Commission, the Director of Works may cause to be prepared an ordinance defining the extent and boundary of the street to be widened, altered, or extended and improved, if an old street, or if a new street, to be opened and improved, and shall further specify the width of the street, from property line to property line, and the width and location of the carriageway, and the character of the construction or reconstruction required.

The ordinance defining the improvement shall also prescribe the limits of a local benefit assessment area or taxing district upon which the cost of the entire project is to be assessed and paid for. Accompanying said ordinance and as part thereof, the Director of Works shall cause the City Engineer to make a plat and survey, showing first the character, course and extent of the proposed improvement and the

property necessary to be taken or interferred with thereby, and the name of the owner and the lot and block number, as shown in the City Assessor's Office, of each parcel of such property, if the name of the owner is known, if not, it shall be marked unknown and shall further show the amount of land taken from each owner; and contain such further statement as may, in the opinion of the Director of Works, be proper to explain such survey, and the character and extent of the proposed improvement, and said plat and survey shall further show the proposed taxing district and the proposed character, course, and extent of same, and the specified property embraced therein, which it is believed is benefited by, and its value increased by said improvement, together with the name of the owner and the lot and block number of each parcel of such property, if the name of the owner is known, if not, it shall be marked as unknown; and shall contain such further statement as, in the opinion of the Director of Works, is proper and necessary to explain such plat and survey, and the character and extent of the proposed taxing district. After said ordinance has been introduced in the legislative body, it shall be the duty of said body to give notice by publication in a newspaper of general circulation in such city, containing the essential specifications in the premises to give the owners of the property embraced in the taxing district, and all persons having an interest in, lien upon, or claim against said property, notice of the pendency of such ordinance before the legislative body, and to fix a time whereat the legislative body, will give a public hearing to everyone affected by said improvement, either directly or indirectly, before the passage of such ordinances. After such hearing, the Legislative body may adopt such ordinance at their next regular meeting, or if not satisfied with same, may refer same back to the Director of Works and the Planning and Zoning Commission, with their recommendations. If such recommendations meet with the approval of the Director of Works and the Planning and Zoning Commission, they shall prepare an ordinance in

accordance therewith, and the same may be regularly introduced and passed without further hearing. After the adoption of said ordinance, the same, together with the plat and survey, shall be held to show the character and extent of the improvement actually agreed upon and ordered by the legislative body, and the character and extent of the proposed taxing district to pay for the improvement aforesaid, as agreed upon and ordered by the legislative body.

§ 4. In order to establish said taxing district, the Director of Works is authorized, with the approval of the Mayor, to employ such experts as may be necessary to advise him in the preparation and to further advise the Council in determining the probable amount of benefit to each piece of property in the taxing district.

§ 5. After the adoption of the ordinance and plat by the legislative body of the City, it shall be the duty of the City Attorney to file a petition in the Circuit Court of the County in which said City is situated. In this action the City shall be the plaintiff, and the owners of all property sought to be taken shall be named as defendants, together with any other person or persons having an interest in or lien upon, or a claim to the property sought to be taken. The City Attorney may also, in his discretion, name as defendants all persons having property in the taxing district, whose property is claimed to be benefited by the improvement.

Process against the defendants whose property is sought to be taken shall be the same and returnable at the same time as under the civil process in actions in the Circuit Court, and the City Attorney may, in his discretion, cause process to be issued and returned against any or all of the defendants in the taxing district whose property is calimed to be benefited, or the City Attorney may, in his discretion, bring all defendants whose land is not taken but whose property is claimed to be benefited by the improvement, before the Court, by publication and notice at the time and in the manner hereinafter set out.

The body of the petition shall state that it is filed under this Act, shall give the general terms and tenor of the ordinance of the legislative body, and shall file a copy of the ordinance, including the plat and survey, officially attested by the Director of Works and the City Engineer. The petition shall further state the boundary of the proposed improvement and the boundary of the proposed taxing district, but it shall not be necessary to describe the particular parcels of land sought to be taken or the particular parcels of land claimed to be benefited, but the plat shall be treated and considered as showing thereon the boundary and description of each parcel of property. The petition will conclude with a prayer that the property sought to be condemned, be taken and the value and damages for such taking adjudged, and the proposed taxing district be established, and the benefits to and the increase in value of each piece of property in said district be ascertained and adjudged, and for any other relief, general or special, that may be desired. The petition shall be signed by the City Attorney, but verification shall not be required.

§ 6. Within thirty (30) days after the filing of the petition, on motion of the plaintiff, the Court shall appoint three (3) viewers and appraisers, who shall be resident freeholders of said City, and who are in no way interested in the action and not of kin in the second degree of consanguinty to any person owning land proposed to be taken. Upon their appointment, the viewers and appraisers shall take an oath before the Court to faithfully perform their duties under this Act. They shall then give notice by publication of the time and place at which they will meet for the purpose of appraising damages to the property sought to be taken. Said notice shall contain a substantial description showing the boundaries which comprehend the land in the aggregate to be taken for the entire improvement, and shall be addressed generally: "To all persons owning land or having any interest in land," lying within the boundary sought to be taken. At the time and place mentioned in the notice, the viewers and appraisers

shall meet and examine each piece of property proposed to be taken and they shall ascertain the value and direct damage to each property owner from such taking, and state same as to each parcel and to each owner, giving each item of value and damage allowed and the amount thereof, and they shall then ascertain and state the consequential damage, if any, and make an itemized statement thereof, and they may adjourn their meeting from day to day or from time to time, by making announcement at the conclusion of any day's meeting of the time and place at which the next meeting will be held. After the appraisement of value and damages shall be completed, the viewers and appraisers shall file in Court, in the action, a complete and itemized report covering each piece of property sought to be taken.

Any property owner whose property is sought to be taken may appear at any meeting of the viewers and appraisers and present to the viewers and appraisers any evidence of the value and damage or injury to the property he may desire, and the City may present to said viewers and appraisers any evidence on the damage to any piece of property that it may desire. After ascertaining the value and damages aforesaid, it shall then be the duty of the viewers and appraisers to give a similar notice, by publication, of the time and place in which they will meet to assess and determine the benefits to property in said taxing district. This notice shall contain the boundary of the taxing district to be addressed generally: "To all persons owning land, or having an interest in the property," within said boundary; at the time and place fixed in said notice the said viewers and appraisers shall meet and view each specific piece of property in the proposed taxing district and ascertain as to each piece of property therein the increase in value of said property by reason of said improvement, and make an itemized statement thereof. If, in the opinion of the viewers, any piece of property embraced in the taxing district is not bene-

fited by said improvement, they shall so state and make no recommendation.

If the viewers shall find that property outside of the benefited district, proposed by the ordinance, is benefited by the proposed improvement, they may so report to the Court, and the amount of benefit as to each piece of property, and the Court may, by order, add same to the taxing district. If no property is recommended by the viewers and appraisers to be added to their report, then they shall, in each report, state that no private property except as specifically found in the report made, is benefited by the proposed improvement and it shall not be necessary for them to report their reasons or findings as to any property omitted in the report within the benefited district, as fixed by the ordinance, but the Court may, for cause, require a report as to any specific piece omitted.

Any property owner in said district may appear before said viewers and appraisers and submit any evidence concerning the benefit to his said property, that he may desire, and the City may similarly submit evidence. After final ascertainment of the benefits in said taxing district, the viewers shall make due report to the Court as to their findings as to each piece of property in the said taxing district. Each of the foregoing reports shall be filed within thirty (30) days after the appointment of the viewers and appraisers unless the Court shall, for cause, extend the time.

§ 7. Where the owner of any property sought to be taken is unknown, or where the owner of property claimed to be benefited in the taxing district is unknown, they shall be described in the proceeding as unknown defendants, owners of lot Number ....., Block Number ....., on the City Assessor's Maps, and process shall be the same as for unknown defendants under the civil code, provided, however, the City Attorney, in his discretion, and viewers and appraisers may proceed against the unknown owners of a lot in the taxing district by publication as permitted for known owners, in

which publication they shall be described as the unknown owners of Lot Number ....., Block Number ....., City Assessor's maps. If the City Attorney has elected to proceed against the owners of property in the taxing district by publication and notices after the viewers' report of benefits has been filed, it shall be his duty to furnish to the Clerk of the Court, the names and addresses of each owner of property in the taxing district, and direct him to give such notice, and it shall thereupon be the duty of the Clerk of the Court to at once give notice, by publication in a daily newspaper, published in said City, by four insertions, made by one insertion, and one insertion each successive week thereafter until there shall have been four publications in all, each insertion naming each person whose property is stated by the viewers' report to be benefited by said improvement, and shall further mail, by registered mail, with return card requested, to each property owner at the address given a similar notice. If the name of the owner of the property is unknown, he shall be identified in the notice as "unknown owner of Lot ....., Block ....., City Assessor's Maps."

Said notice shall be substantially in the following form:

"Jefferson Circuit Court,
..... Branch
..... Division
City of ..... - - - - - - - Plaintiff

VS. NOTICE OF PETITION UNDER MAJOR STREET IMPROVEMENT ACT

....., et al., - - - - - - - - - Defendants.

"The following named persons will take notice, (here insert name of all persons and addresses given in the viewers' report), that the city of ....., proposes to make a Major Street Improvement, as follows (here insert description of improvement); that to pay the cost of said improvement, said City proposes in this proceeding the establishment

of a taxing district of the following boundary, viz.: (here insert boundary of taxing district).

"Viewers have been appointed and on viewing same have found that your property lying in said district will be benefited by said improvement, and have fixed the value of such benefit by their report, all of which can be seen by an examination of their report now on file in this case. Said report will remain open for objections and exceptions thereto until the ..... day of ....., ... year. If you have any objections to said report, or desire to contest same, you are hereby notified to file your exceptions on or before said date, otherwise all objections thereto will be considered and treated as waived, and said report will be confirmed, and the benefit to your property fixed for such taxing purposes against you.

"Given under my hand as Clerk of said Court this ..... day of ....., 19.....

.....,

Clerk ..... Circuit Court."

After making the publications required, and mailing the notices to property owners, the Clerk shall certify fully to the Court his action in the premises and the notice so given by the publications aforesaid and mailing as aforesaid, shall be treated as the process in the case as to all such defendants, and the certificate of the Clerk as aforesaid as a due return on said process, and all persons so notified shall be treated as before the Court for all purposes of the case, and shall make defense thereto within twenty days after the last publication of the notice.

§ 8. After the report of the viewers and appraisers has been filed, stating the value of the property taken and the damage to each piece of property, it shall be the duty of each owner of property objecting to the report as to his property, to file exceptions on or before the date allowed by the Court for excepting, and it shall be the duty of the City objecting to the report as to specific property, to file objections as to

such specific property on or before the date allowed by the Court for excepting. If no exceptions shall be filed by the property owner nor the City as to any specific property within the time allowed by the Court, then the Court shall confirm said report as to the property to which no exceptions have been filed, and enter judgment thereon as to all owners not excepting and upon the City paying into Court or to the property owner the amount of the value and the damages ascertained by the report, the City may immediately take possession of said property. The exceptions, whether filed by the City or the property owner, may raise any question of law that could be raised upon demurrer or pleading, or make any issue or issues of fact that could be made by any pleading. If exceptions shall be filed, the Court shall set the exceptions for an early hearing. The Court shall be authorized to summon a jury of freeholders to ascertain the value of the property taken and the damages, unless the property owner and the City waive a trial by jury, in which event the Court may try the issues. Upon the hearing, either by the Court or the Jury, the parties may introduce any evidence, oral or written, that could be introduced upon the trial of any ordinary or equitable action and subject to the rules of evidence. The Court, in entering judgment, may make any and all orders, proper and appropriate, to do justice and equity to all parties interested or concerned in the matter involved. Such property owner, or the City, aggrieved by the judgment of the Court or verdict of the Jury may, within thirty (30) days after judgment has become final, unless the time be extended by the Court, take and perfect an appeal to the Court of Appeals in the manner now provided by law for appeals. Such appeal shall be at once docketed in the Court of Appeals and shall be advanced for immediate hearing and submission. The Court of Appeals shall make proper rules and orders as to arguments and briefs, applicable to cases brought before it under this Act, and advanced as above prescribed.

Upon the ascertainment of the value of the property taken, and the damages, either by the Court or Jury, the City may pay the amount so ascertained into Court or to the owner or owners of the property, and take possession of the property, but such payment shall not prevent an appeal by either party, and if by such appeal, the value of the property taken and the damages to defendant's property are increased, the City shall be required to pay the amount of such increase.

After the report of the viewers and appraisers has been filed, stating the amount of benefit to each piece of property, it shall be the duty of each owner of property, objecting to the report as to his property, to file exceptions on or before the date allowed by the Court for excepting, and it shall be the duty of the city objecting to the report as to the amount of benefit allotted against specific property, to file objections as to such specific property, on or before the date allowed by the Court for excepting. If no exceptions shall be filed to the benefit allowed against any specific property, the court shall confirm said report as to the property to which no exceptions have been filed, and may enter judgment thereon against all owners not excepting. Upon the exceptions being filed, the court shall fix a date for hearing such exceptions and shall hear them de novo upon transcript of the evidence presented before the viewers and appraisers or upon affidavits or oral testimony, depositions, or such method of hearing and presenting of evidence as the court may determine best. The court, in entering final judgment, may redefine the benefited district, and may make any and all proper and appropriate judgment, or orders to work out justice and equity to all parties interested and concerned in the matters involved. The City, if dissatisfied with the judgment of the Court as to the benefits allowed or refused against any specific piece of property, or the owner of any specific piece of property who has excepted to the benefits allowed against his property, and who is dissatisfied with the judgment of the Court, may take an appeal in the same time and manner as

allowed appeals hereinbefore on the ascertainment of damages to property. If, in deciding exceptions, either by the Circuit Court or the Court of Appeals, a decision should be rendered, or judgment entered, which makes inequitable the allocation of the amount of benefit made by the viewers and appraisers, either as to specific property contained in the benefited district or as to the whole district, or boundaries of the district, the court may set aside any order and judgment thereon, confirming the report of the viewers and appraisers to the extent that may be necessary to correct any inequality of benefit allowed, either against the specific property in the district or against the entire district, and may enter judgment and make such orders as may be necessary to make all property benefited bear its proper amount of benefit in view of such decision, and if such error or errors in allocating benefits against any specific property cannot be corrected without the reascertainment of benefits or redefining the district, it may set aside the entire report and have such redefining of the district and reallotment made by the viewers and appraisers, or may appoint new viewers and appraisers and have an entire new redefining of the district and reallocation of benefits, but the Court shall go no further than is necessary to make each piece of property in the benefited area or district bear its proper proportion of benefit, and to the end that no other property may be unduly burdened.

§ 9. Each report of the viewers and appraisers shall be filed in open court, at a joint session day, and after being regularly docketed and at said time, the Court shall enter an order laying each report over for exceptions to a fixed day; the report as to damages shall be laid over for exceptions not earlier than twenty (20) days thereafter, and the report as to benefits not earlier than sixty (60) days thereafter. Either time may be extended by the Court for cause; within thirty (30) days after the filing of the viewers' report, the clerk of the Court shall have completed the giving of the notice and the making of his certificate thereon. If, for any reason, he

should fail to complete same, within the time herein allowed, the Court shall, by order, extend the time for exceptions to the report of benefits to such date as assures to those notified twenty (20) days of time intervening between the last date of the publication or other actual notification and the last date of filing exceptions to said report.

§ 10. To facilitate Jury trials, the Court may send the parties and witnesses to any of the common law Courts for immediate trial; to facilitate appeals, the party objecting to the decision of the Court, or the verdict of a Jury, shall, within three judical days after the day of trial, file with the Court, an assignment of the errors complained of. The Court shall examine same and if convinced that an error has been committed, a new trial may be granted and the case set for an early date. If the Court finds no error, then he shall grant an appeal to the Court of Appeals, and it shall only be necessary to take to the Court of Appeals such parts of the record as apply to the errors complained of—otherwise than stated herein, the procedure in the entire case shall be governed by the Code of Civil Practice.

§ 11. After the institution of any action under this Act, the City may, from time to time, file therein any additional or supplemental petition that may be necessary pursuant to and in conformity with any ordinance or ordinances that have been duly recommended by the City Planning and Zoning Commissioner, and Director of Works, and passed by the legislative body for amendment of the public use, improvement or work defined, designated or proposed by the prior ordinances under which the action was instituted, and this may be done whether the same be an amendment to increase or decrease, or otherwise alter the taking or damaging of any properties or estates therein previously affected, or an amendment or omission of any such properties or estates or for the addition of any properties or estates not theretofore affected, or to increase or add to the burdens for public use; as to all new parties introduced by such amended and supple-

mental petitions, process shall be issued and served as heretofore specified in this Act, and the Court or Judge shall make such orders in the cause as may be appropriate to the status of the case by reason of such amendment of the public improvements.

§ 12. In all suits brought under this Act, the viewers and appraisers appointed by the Court shall, upon order of the Judge, file partial reports covering their fixing of value of property proposed to be taken and the assessment of damages or of benefits, or of both, up to the time when such reports may be filed, and at any time after such report shall have been filed, as aforesaid, and confirmed, the City may pay into Court the value of property taken and the amount of damages assessed, and upon doing so, it shall be entitled to take possession of the property. Such partial reports shall be embodied in the final report made by the viewers and appraisers. Such reports are to be filed at a joint session day of the Court, after the case has been regularly set upon the docket for calling; at which day the Court may fix the time for filing exceptions thereto.

§ 13. The costs of this proceeding shall be paid by the City, except where exceptions are filed and a contest had, either in the Circuit Court or the Court of Appeals, the costs due to such contest shall be adjudged against the unsuccessful party or as the Court may direct. The Court shall make a reasonable allowance to the viewers and appraisers for their services and expenses and to the Clerk of the Court for any services not covered by the Statute, fixing the Clerk's fees. Where fixed by Statute, the fees for all services are to be as so fixed.

§ 14. The procedure outlined herein is not to be construed technically, but liberally, with a view to give each party the utmsot protection to his rights, constitutional and otherwise, and the Court is authorized to so mold and adopt this procedure to that end.

§ 15. At any time when, within the judgment of the legislative body of such City, it is apparent that the entire improvement can be ultimately carried out and completed, and at this time a sufficient amount of land can be acquired by the City to justify the beginning of the work of improvement, or any sufficient part of it, and enough persons have been adjudged liable under the report of the viewers to reasonably pay for such work, the City may, by ordinance, direct that the work be done, and the taxing district established to that extent, and it shall not be compelled to wait until the final decision of the Court on exceptions that may have been filed either as to value of property taken or as to damages or to benefits, but it shall not take any land until it has paid for it, and it shall not assess or collect any tax for any benefit to land, until it shall have been finally decided by the Court that such land is benefited and the amount thereof, and in laying a tax in the district, the City shall advance and pay the proportion of tax that would have been paid by those contesting, if there had been no contest. When such contest has been decided, the persons so contesting shall be compelled to pay their proportion of tax to the City, with interest.

§ 16. The improvements mentioned in this Act mean not only the land acquired, but the construction and reconstruction of the street, sidewalks, gutters and every expense connected therewith, including all costs of the action. The sum of the increase in value to each piece of property as finally adjudged by the Court, represents and is the entire assessment of the value of the benefit to all of the property in said taxing district, finally adjudicated, and the legislative body of said City is authorized to levy a tax or successive taxes on said district to pay for said improvement, but in no event shall the total tax against any piece of property exceed the amount of benefit to said property as fixed by the final judgment of the Court, nor shall the total of taxes assessed against the district exceed the cost of the total improvement, as defined herein with interest thereon.

§ 17. Upon the filing of the petition, the City Attorney shall file in the Clerk's office of the County Court, a Lis Pendens, giving the caption of the suit and number thereof, and names of all defendants in full and the boundary of the proposed improvement, and the boundary of the taxing district, where the owners of property in the taxing district are named as defendants, all of which shall be a sufficient notice that the property of all the defendants in the action lying within the boundary given, is affected by the suit, and where process is by publication, and notice mailed, then after the filing of the viewers' report, he shall file in the Lis Pendens Book a copy of the notice as published by the Circuit Clerk, and this shall be a sufficient notice to everyone that the property of those named in the notice lying in the boundary of the taxing district, is affected by the suit. The County Clerk shall index in the first instance, the names of all the defendants, and in the second instance, all of those whose names appear in the notice. Upon any procedure being taken in the said action bringing in more parties to the action and involving any property of theirs it shall be the duty of the City Attorney to file a Lis Pendens notice in the Clerk's Office of the County Court in accordance with this section.

§ 18. The provisions of Section 2839 of the Kentucky Statutes, and all amendments thereto, shall be applied to the collection of the tax levied or assessed, as herein provided for the payment of the entire improvement, including land construction, reconstruction, and all other costs and expenses, including the costs of the action.

§ 19. The city shall have power to purchase, without condemnation, any part or all of the property, or any interest therein, or business thereon, that would require condemnation of any person whose property is sought to be taken for the making of the improvement. In the event the city shall purchase more property than required for the improvement, the viewers and appraisers shall appraise for value and damages, that portion taken for the improvement, and same shall be

paid to the city, as other property owners are paid, and the remaining portion shall be assessed against the city as against any other property holder in the taxing district; such assessment shall constitute a lien at the same time, as provided for a lien on other property in the taxing district, and shall run with the land until paid. The city may sell and convey any excess property that it may acquire.

§ 20. In order to pay for the land purchased or condemned, and damages, and to get immediate possession thereof, the City may issue, and sell or pledge preliminary bonds secured by a lien on the assessment of the taxing district, based on the cost of the land and damages, as reported by the viewers and appraisers, and the cost of the construction and reconstruction, as based on an estimate of the City Engineer, but not to exceed the total of the cost of said land, and thirty per cent of the estimated cost of construction. Said preliminary bonds to be exchanged for the permanent bonds issued under Section 2839, Kentucky Statutes, after the cost of the entire improvement, both land and construction has been completed.

§ 21. It shall be the duty of the City Engineer, if called upon by the viewers and appraisers, or the court to do so, to furnish them with an estimate of the construction cost of the entire improvement.

§ 22. The city may pay any portion of the improvement that the legislative body may see fit, and the city may advance out of any funds that the legislative body may appropriate for that purpose, money for the improvement, and receive the same back when the taxes and assessments are collected against the benefited district, or out of the proceeds of the sale of bonds, as provided by section 2839, Kentucky Statutes.

§ 23. No bonds issued under this Act shall constitute a debt against the city, but the holder of said bonds, if the official charged with the duty of collecting same, shall fail to do so, may either sue on the same in their own right or manda-

mus the officials of the city charged with the duty to collect same.

§ 24. The legislative body of the city may, at any time after the passage of the original ordinance by another ordinance or ordinances recommended by the City Planning and Zoning Commission, and the Director of Public Works, amend the public use, improvement of work defined, designated or proposed by the original ordinance, whether the same be to increase or decrease or otherwise alter the taking or damaging of any properties or estates affected by said previous ordinance, or to amend the omission of any such properties or estates, or for the addition of any properties or estates not therefore affected or change, increase, or make addition to any of the burdens for public use, and this shall apply to either the taking of land, property or to the taxing district, or to any change that may be necessary in the work of construction or reconstruction, or any additions thereto.

§ 25. The city shall have a lien prior to all other liens, excepting the liens only of general, state, county, and city taxes, against each piece of property within the taxing district, for all the taxes that may be adjudged against the same, from the date said Lis Pendens notice is filed in the office of the County Clerk. After the costs of the entire improvement, including property, land and construction have been definitely ascertained, the city shall cause to be made, an apportionment based on the benefit adjudged by the court on each piece of property in said district for its proportionate share, after which, the city shall have a lien for the specific amount of such apportionment against each piece of property, which lien shall include interest on said amount at the rate of six per cent. (6%) per annum, from the date of such apportionment until paid. Any property owner at any time thereafter, desiring to relieve his property from further payment of interest, may pay the amount of said lien, or any balance that may remain on said lien, with interest to date of such pay-

ment, and the city shall make due release of the lien against his property.

§ 26. When the apportionment in the preceding section has been made, the same shall be entered upon a special book kept for that purpose in the office of the Director of Finance, and shall contain the name of the owner, date of the apportionment, sufficient description of the property to identify it, and a space for the release of the lien, when paid. If payment shall be divided in annual installments, there shall be space to show the date of payment of each installment. The officer or contractor collecting same shall certify same to the Director of Finance, who shall cause same to be entered upon said book, or any person holding a receipt for such payment can produce said receipt to the Director of Finance, and have same entered upon said book.

§ 27. The city, at any time prior to final judgment in the suit, may repeal any ordinance provided for under this Act, and may dismiss without prejudice any suit brought under said ordinance, and thereafter the city may enact any new ordinance and file any new suit that it may deem proper.

§ 28. This act shall be treated as in no wise exclusive or as repealing any of the Statutes authorizing street improvements, or the assessment or collection of costs of same, but its provisions shall be treated as optional and supplementary only.

§ 29. If any section or any provision of this Act shall be held unconstitutional, it shall not affect the validity of the Act, as a whole, or any other section or provision thereof.

§ 30. This Act shall be liberally construed.

§ 31. All laws or parts of laws in conflict herewith are hereby repealed.

Said substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	E. C. Dennington	Fred V. Lucas
U. G. Anderson	James R. Dorman	Joseph Martin
S. A. Blackburn	S. J. Douthitt	James A. May
D. C. Bradley	W. C. Dugan	T. R. McRoberts
T. L. Britton	William A. Eimer	Henry Meiman
J. Watt Brown	J. O. Evans	Fred A. Nolte
John R. Buckman	Joseph B. Everhart	Caleb A. Page
Dr. R. A. Byers	Kelly J. Francis	Curtis F. Park
James A. Campbell	John B. Furlong	J. D. Patton
Lee Clark	Ralph Gilbert	John W. Preston
Bradley Combs	L. B. Hamilton	W. E. Randall
Elmer Cook	H. G. Handmaker	Denny P. Smith
W. W. Cooper	R. L. Jackson	D. O. Stanley
Ben L. Cox	J. Roy Johnson	Frank L. Strange
H. G. Crabtree	Theron M. Johnson	C. B. Truesdell
William J. Curtis	M. F. Jordan	J. E. Walters
J. J. Davis	Frank LeBus	Robert Williams
Winn Davis	Martin Light	—53

There voted in the negative—

John B. Klefot —1

Resolved that the title thereof be as amended.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 580. An Act to amend and re-enact Sec. 18, Chapter 28 of the Acts of 1916, Sec. 717, Carroll's Kentucky Statutes, 1922 Edition, relating to assessment fire insurance companies, requiring their business to be limited to the terms of the Act, providing for examination by the Insurance Commissioner and fixing penalties for violation.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be ie enacted by the General Assembly of the Commonwealth of Kentucky:

That section 18, chapter 28 of the Acts of 1916 (section 717, Carroll's Kentucky Statutes, 1922 Edition) be amended by inserting after the word "Commissioner" in the second sentence the words "whenever he deems it prudent for the protection of policy holders in this Commonwealth and as often as once in four years or," so that the said section when amended and re-enacted will read as follows:

No corporation shall be formed under this Act for the purpose of transacting the business of insurance other than herein prescribed, and no such corporation shall insure against any loss except as specified in this act; and any officer violating this law shall be fined from ten dollars to five hundred dollars, according to the discretion of the jury, and shall be personally liable for any losses caused by any such violation, either to the corporation or any member. It shall be the duty of the Insurance Commissioner, whenever he deems it prudent for the protection of policy holders in this Commonwealth and as often as once in four years or upon application of ten members of such a corporation, or two directors, or the

president or secretary, to examine into the management of such corporation, and the corporation shall pay all expenses of such examination, and should he find that any officer or any number of officers have been or are at the time violating this law, or the by-laws of the corporation, he shall proceed in like manner as with other corporations who are guilty of like violations, and the officers shall be punished, if found guilty, as prescribed in this law, and shall be subject in addition thereto to prosecution and punishment for larceny or embezzlement as prescribed by the general laws of this State, if found guilty of any such crime.

Said Amendment as offered by the Committee is as follows, viz.:

Amend H. B. 580 by striking out all of lines 15 and 16 and inserting in lieu thereof the following words: "holders in this Commonwealth but not more often than once in four years unless upon the previous examination it was found that the company was not complying with all the laws of this Commonwealth applicable to it, or upon the application of ten members of such a corporation, or twenty-five per cent of the Board of Directors, or the."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. C. Dugan	T. R. McRoberts
U. G. Anderson	William A. Eimer	Henry Meiman
S. A. Blackburn	J. O. Evans	B. T. Morris
D. C. Bradley	Joseph B. Everhart	F. Tyler Munford
T. L. Britton	Virgil Eversole	L. B. Murphy
John R. Buckman	Kelly J. Francis	M. L. Napier
Dr. R. A. Byers	John B. Furlong	H. L. Nickell
James A. Campbell	L. B. Hamilton	Fred A. Nolte
Lee Clark	H. G. Handmaker	Caleb A. Page
Bradley Combs	Rev. B. L. Hargrove	Curtis F. Park
Elmer Cook	J. F. Harrison	J. D. Patton
Leonard Cook	Robt. L. Horn	John W. Preston
W. W. Cooper	C. E. Houk	W. E. Randall
Ben L. Cox	R. L. Jackson	Denny P. Smith
H. G. Crabtree	Theron M. Johnson	D. O. Stanley
G. Cunningham	J. R. Johnston	Frank L. Strange
William J. Curtis	M. F. Jordan	C. B. Truesdell
J. J. Davis	John B. Klefot	J. E. Walters
Winn Davis	Frank LeBus	L. M. Weathers
E. C. Dennington	Martin Light	G. W. Wigginton
James R. Dorman	Joseph Martin	Robert Williams
S. J. Douthitt	James A. May	—65

Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 702. An Act apropriating $12,000.00 or so much thereof as may be necessary to the Kentucky State Park

Commission for the purpose of paying the indebtedness incurred by said Commission in excess of its budget.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby apropriated to the State Park Commission the sum of Twelve Thousand ($12,000.00) Dollars or so much thereof as may be necessary, to be paid out of the General Expenditure Fund, for the purpose of paying the indebtedness incurred by said Commission in excess of its budget apropriations for the maintenance, operation, and improvement of the various State Parks under its control for the fiscal years ended June 30, 1927 and 1928.

§ 2. Before the Auditor shall allow any claim presented, he shall require of the claimant an itemized statement of the account, supported by adavit to the effect that such claim is just, due, and unpaid.

§ 3. Whereas, This indebtedness has been in existence for a period of two years or more and the persons holding the claims are in need of their money and have lost two years interest, an emergency is declared to exist and this act shall become a law upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

D. C. Bradley	William A. Eimer	Harry J. Meyers
John Young Brown	Joseph B. Everhart	M. F. Moore
G. Cunningham	Virgil Eversole	Fred A. Nolte
J. J. Davis	H. G. Handmaker	J. D. Patton
James R. Dorman	Theron M. Johnson	Denny P. Smith
W. C. Dugan	John B. Klefot	C. B. Truesdell
J. W. Edwards	Henry Meiman	L. M. Weathers

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Those who voted in the negative were—

T. L. Britton	J. F. Harrison	H. L. Nickell
J. Watt Brown	Robt. L. Horn	Curtis F. Park
John R. Buckman	R. L. Jackson	James I. Peters
Dr. R. A. Byers	J. Roy Johnson	John W. Preston
James A. Campbell	J. R. Johnston	W. E. Randall
Elmer Cook	M. F. Jordan	D. O. Stanley
W. W. Cooper	Frank LeBus	Frank L. Strange
Ben L. Cox	Martin Light	J. A. Thompson
S. J. Douthitt	James A. May	Thomas H. Troxel
Kelly J. Francis	T. R. McRoberts	J. E. Walters
John B. Furlong	F. Tyler Munford	G. W. Wigginton
L. B. Hamilton	M. L. Napier	Robert Williams
Rev. B. L. Hargrove	Andrew W. Nichols	

—38

Mr. Parks moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Weathers and Truesdell, were as follows, viz.:

Those who voted in the affirmative were—

T. L. Britton	J. J. Davis	Robt. L. Horn
J. Watt Brown	S. J. Douthitt	R. L. Jackson
John R. Buckman	J. O. Evans	J. R. Johnston
Elmer Cook	Kelly J. Francis	M. F. Jordan
W. W. Cooper	John B. Furlong	Frank LeBus
Ben L. Cox	Ralph Gilbert	Martin Light

T. R. McRoberts	Curtis F. Park	J. A. Thompson
B. T. Morris	J. D. Patton	J. E. Walters
F. Tyler Munford	James I. Peters	G. W. Wigginton
M. L. Napier	W. E. Randall	Robert Williams
H. L. Nickell	D. O. Stanley	—32

Those who voted in the negative were—

D. C. Bradley	Joseph B. Everhart	M. F. Moore
John Young Brown	Virgil Eversole	John W. Preston
Leonard Cook	H. G. Handmaker	Denny P. Smith
Winn Davis	Rev. B. L. Hargrove	Elmer J. Terry
James R. Dorman	John B. Klefot	C. B. Truesdell
J. W. Edwards	Henry Meiman	L. M. Weathers
William A. Eimer	Harry J. Meyers	—20

Ordered that Messrs. Dowling and Kincheloe be granted a leave of absence.

Mr. Meyers moved that John S. Milliken, III, be appointed Honorary Page of this House for the remainder of the session.

Said motion was agreed to.

Mr. Handmaker moved that L. B. Hamilton, Jr., and Cathrine Ann Hayne be appointed Honorary Pages of this House for the remainder of the session.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 252. An Act concerning the state library, designating what books shall constitute the library; providing that the judges of the court of appeals shall be the trustees of the

library; appropriating annually one thousand dollars ($1,000) and the tax on all appeals to the court of appeals for the increase of the law library, said sum to be expended under the advice of the judges of the court of appeals and appropriating annually an additional one thousand dollars ($1,000) for the purchase of literature and miscellaneous works, and the maintenance of the books already there, authorizing the sale or exchange with the consent of the court of appeals of books belonging to the State, and directing the expenditure of proceeds thereof; providing for the use of the library and restrictions thereon; requiring a record to be kept of books taken from the library and making any person responsible for double the value of any book taken from the library but not returned, requiring the librarian to account to the court of appeals, under oath, before adjournment of the court for spring term of all money expended, and requiring a report to the general assembly for all money expended; authorizing the librarian to sue in the name of the Commonwealth of Kentucky, in any court of Franklin county having jurisdiction for the recovery of any property taken from the library and not returned, or any damage done, and requiring the attorney general to prosecute such action, granting the commonwealth attachment without bond, and providing that any judgment rendered shall be for double the value of any property or damage done, providing for the election of the librarian by the general assembly of 1932 for a term beginning the first Monday in June, 1932, and ending June 30, 1932, and providing for the election by the general assembly of 1932 for a term of four years, beginning July 1, 1932, and every four years thereafter, and fixing the salary of said librarian; providing for the filling of a vacancy of the office of librarian, requiring a bond of the librarian, and fixing the amount and other requirements thereof, authorizing an assistant librarian, designating the duties of the assistant, fixing his bond and salary, authorizing a bonded clerk, a bookkeeper and a porter,

and limiting their salaries, designating the duties of the librarian concerning the keeping open of the library rooms, keeping the library in order, receipting the secretary of state for property in the library, preparing every six years a catalogue and evey two years a supplemental catalogue, the keeping of a perpeutal. modern card shelf, list and subject catalogue, and requiring an annual inventory in the month of June, said inventory to be submitted to the court of appeals before the adjournment for the spring term, requiring the librarian to deliver to his successor inventories of all books and property and taking a receipt therefor, and making the librarian responsible on his bond for all books lost during his term of office, and providing that the compensation allowed the librarian, assistant librarian, and all employees shall be in full payment for all services rendered by them as such; providing for the distribution of books required by law to be distributed by the librarian, authorizing the expenditure of not more than one thousand dollars ($1,000) annually for such distribution and repealing sections 2434, 2435, 2436, 2439, 2447-1, 2, 3, 2447a, b, 2448, 2454, 2455, 2458, 2460, and any and all other laws and parts of laws in conflict herewith. Declaring an emergency to exist and this Act to take effect immediately upon its passage.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

ARTICLE I

§ 1. The present librarian shall hold office until the first Monday in June, 1932. A librarian shall be elected by the general assembly of 1932 to hold office from the first Monday in June, 1932, until June 30, 1932, and a librarian shall be elected by the General Assembly of 1932 and every four years thereafter to hold office from July 1, following such election,

until June 30, of the fourth year following. The librarian shall receive an annual salary of $2,400 payable monthly out of the state treasury. The librarian shall hold office until his successor is elected and qualified.

§ 2. A vacancy in the office of librarian, occurring from any cause during a session of the general assembly, shall be filled by that body, but if the general assembly be not in session, such vacancy shall be filled by appointment of the court of appeals until the commencement of the term of the successor, if one has been elected, otherwise until the next meeting of the general assembly, when that body shall fill such vacancy for the remainder of that term.

§ 3. The librarian, before he enters upon the duties of his office shall enter into bond, payable to the commonwealth in the penal sum of five thousand dollars ($5,000), with two or more sureties, to be approved by the court of appeals, conditioned for the faithful discharge of all the duties imposed, or which shall be imposed upon him by law, which bond shall be filed with, and preserved by, the secretary of state, and upon which suit may be prosecuted by the attorney general, from time to time, in the name of the commonwealth of Kentucky, for violation thereof.

§ 4. The librarian may, with the consent and approval of the court of appeals, appoint an assistant librarian, who shall serve for the term for which the librarian is elected unless sooner removed by him, to assist in taking care of the library and other property under the charge of the librarian, and the discharge of other duties imposed by law upon the librarian for all of whose acts as such assistant, the librarian shall be responsible upon his bond. Said assistant librarian, before entering upon his duties, shall give a bond to the commonwealth of Kentucky, in the sum of five thousand dollars ($5,000), to be approved by the librarian, conditioned upon his faithful discharge of his respective duties, and said bond shall be filed with and preserved by the secretary of state; and

upon which suit may be prosecuted by the attorney general from time to time, in the name of the Commonwealth of Kentucky, for violation thereof. The assistant librarian shall be paid a salary of two thousand two hundred eight ($2,208) per annum, payable monthy out of the state treasury.

§ 5. The librarian is hereby authorized to employ a clerk, who shall be required to give bond as the assistant librarian is required to give, and whose duty shall be prescribed by the librarian; and a bookkeeper, and a porter, who shall also be shipping clerk. The salaries of said respective employees to be fixed by the librarian and approved by the court of appeals, but not to exceed eighteen hundred dollars ($1,800) per annum each for the clerk and bookkeeper, and twelve hundred dollars ($1,200) per annum for the porter. Said employees to be paid monthly out of the state treasury. The auditor of public accounts is directed to draw his warrant upon the treasurer on the last day of each month in favor of such employees for said salaries.

§ 6. It shall be the duty of the librarian:

1. To attend to and keep the library rooms open every day (Saturday afternoon and Sunday excepted), from nine o'clock in the monring until five o'clock in the afternoon, and, during the sessions of the General Assembly to keep the library rooms open in the evenings when requested.

2. To keep the library rooms in order, and to preserve and arrange all the books, charts, maps and furniture belonging to the commonwealth, and to see that no books or other things are taken from the library rooms without a receipt being given therefor as herein required.

3. To receipt for all books, maps and furniture placed in the library, which receipt shall be given to the secretary of state and preserved in his office.

4. To have prepared and printed, every six years, a complete catalogue of the books, maps and charts in the library, and every two years a supplemental pamphlet

catalogue of all books, maps and charts received by the library during the preceding two years.

5. To keep a perpetual modern and complete card shelf, list and subject catalogue, and to take an inventory in the month of June of each year of all the books, maps, charts or other property belonging to the commonwealth and report said inventory to the court of appeals before the adjournment of the court of appeals for the spring term.

6. To distribute the publications of the State as required by law, and such other duties as are required by law.

7. All the copies of the acts of the general assembly and other books which may be printed for the state, shall be delivered to the librarian, and by him distributed as herein directed.

The acts of the general assembly, journal of each house, and books of reports, shall, when bound, be deposited with the librarian, and it shall be his duty to pack up the same in a suitable manner for each county, with a list of the names of those who are entitled to receive them, and send each package in the most inexpensive manner to the circuit clerk of each county who shall distribute the books received by him in each package as directed by law.

The whole amount to be paid by the librarian for such distribution shall not in any year exceed one thousand dollars ($1,000).

8. Each librarian shall turn over to his successor separate inventories of all books, and property that were in the library at the commencement of his term, and all that were placed in the library during his term; and each librarian shall receipt to his predecessor for all books, and property in the library at the time he takes charge thereof, and shall be responsible upon his official bond for the value of all books lost from the library during his term of office.

9. The compensation herein allowed the librarian, assistant librarian and all other employees shall be in full payment

for all services rendered by them as such, and shall include all those services rendered to or by reason of the session of the general assembly.

ARTICLE II

§ 1. The rooms of the state library shall be those now occupied by it on the second and third floors of the Capitol and the surplus books and other property belonging to the library shall be stored in other parts of the Capitol where it is now kept.

§ 2. The following books shall constitute a part of the library of the commonwealth, to-wit:

All the books now on hand, of which there are not exceeding four sets, except the following, of which there shall be the number of sets named:

Bradford's Statutes, all on hand;

Littell's Statutes, all on hand;

Moorehead and Brown's edition of the statutes, twenty sets;

Preston S. Loughborough's Supplement, 1842;

The Revised Statutes, 1852, twenty sets;

Stanton's Statutes, 1859;

General Statutes, 1872, twenty sets, and subsequent editions, ten sets;

Myers' Supplement to Revised Statutes, 1866, ten sets;

Various Editions of Carroll's Statutes, 1894, 1903, 1909, 1915, 1918, 1922, and Baldwin's Supplements;

The Code of Practice, twenty sets, 1851, 1854, 1876, and subsequent additions, including the present Carroll's Kentucky Codes, 1927;

Pirtle's Digest, ten sets;

Barbour's Digest, ten sets;

The Journal of each of the two Houses of Congress, two sets;

The Journal of each House of the General Assembly of the State, twenty-five sets;

The Acts of each session of Congress, two sets;

The Acts of each session of the General Assembly of Kentucky, fifty sets;

The Reports of the Decisions of the Court of Appeals, twenty-five sets, and such other books as may be purchased by or given to the library.

§ 3. The Judges of the Court of Appeals shall be trustees of the library. They shall see that the librarian properly discharges the duties of his office.

§ 4. One thousand dollars ($1,000) per annum and the tax on all appeals in the Court of Appeals are forever set apart for the gradual increase of the law library, to be paid out and expended under the advice and direction of the judges of the court of appeals. Such judges or any three of them may direct the auditor in writing, to draw his warrant in payment for such books, maps or charts, purchased by the librarian under their advice and direction as aforesaid.

The librarian is further authorized to expend each year, in the purchase of literary and miscellaneous works for the library, and the maintenance of the books already there, the sum of one thousand dollars ($1,000); and upon filing with the auditor an approved statement showing the character of literary or miscellaneous works purchased or the repairs or maintenance done and the prices thereof, the auditor shall draw his warrant upon the treasury in payment therefor, such warrants not exceeding annually the sum herein named.

§ 5. The librarian shall, from time to time, with the consent of the court of appeals, sell or exchange such portion of the decisions of the court of appeals, acts of assembly, and other books belonging to the state, as may be deemed expedient, and out of the proceeds thereof. and of the sum recovered under the next preceding section, he may, with such consent, purchase other books, maps or charts.

§ 6. Any person may use the books of the library in the library but the librarian shall not permit any one to take the

books out of the library, except the members of the General Assembly, during the session of the Legislature, the judges and commissioners of the court of appeals, the attorney general, the governor, and other state officials, but attorneys-at-law shall be allowed to take the books to the rooms of the court of appeals, to be used in the argument of cases there pending and not elsewhere.

§ 7. The librarian shall keep a record in which he shall charge each book to the person taking it from the library and he shall see that all books so taken are returned at the proper time. If any person shall fail to return a book taken out by him, he shall be responsible to the librarian for double value thereof.

§ 8. The librarian shall, annually, make and lay before the judges of the court of appeals before the adjournment of the court for the spring term, an affidavit showing the amount he has, during the previous year, expended in the purchase of books, maps or charts, under their advice and direction and give a schedule, together with the prices thereof.

§ 9. The librarian shall keep a correct and itemized account of all expenditures made by him, and lay the same before the general assembly at each stated session thereof, stating under separate heads the object for which, or the department for which, the expenditure was incurred.

§ 10. The librarian shall, in the name of the commonwealth of Kentucky, sue any person in any court of Franklin county having jurisdiction of the amount involved, for a book or other thing drawn from the library which he fails to return or for any damage done to any book or other thing belonging to the library.

It shall be the duty of the Attorney General to vigorously prosecute such suit and the commonwealth may without bond have attachment for all such books, or property, or for such damage and any judgment rendered for any such books or property or for such damage shall be for double the value or amount thereof.

§ 11. All laws and parts of laws in conflict with any of the provisions of this Act are hereby repealed.

§ 12. Many of the books of the library are in need of repair and the necessity of a card catalogue of the library is urgent and should be installed at once, the assistant librarian is not bonded nor is the clerk, and therefore, this law shall be effective from and after the date of its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Virgil Eversole	Henry Meiman
U. G. Anderson	Kelly J. Francis	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	L. B. Hamilton	Tyler F. Munford
D. C. Bradley	H. G. Handmaker	M. L. Napier
John R. Buckman	Rev. B. L. Hargrove	H. L. Nickell
Dr. R. A. Byers	J. F. Harrison	Fred A. Nolte
James A. Campbell	Robt. L. Horn	Curtis F. Park
Lee Clark	C. E. Houk	J. D. Patton
Bradley Combs	R. L. Jackson	John W. Preston
Elmer Cook	Theron M. Johnson	D. O. Stanley
W. W. Cooper	J. R. Johnston	C. B. Truesdell
Ben L. Cox	M. F. Jordan	J. E. Walters
H. G. Crabtree	Frank LeBus	L. M. Weathers
S. J. Douthitt	Martin Light	G. W. Wigginton
William A. Eimer	Joseph Martin	Robert Williams
J. O. Evans	James A. May	
Joseph B. Everhart	T. R. McRoberts	—52

Those who voted in the negative were—

J. J. Davis W. E. Randall — 2

Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 534. An Act to amend and re-enact section 3181 of the Kentucky Statutes, relating to the Board of Equalization; qualifications; compensation and general powers and duties thereof in cities of the second class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3181 of the Kentucky Statutes, relating to the Board of Equalization; the qualifications; compensation and powers and duties of the members thereof, be, and the same is hereby amended and re-enacted so that the same as so amended and re-enacted shall read as follows:

3181. Board of Equalization; qualifications; compensation; chairman and clerk; general powers and duties.—There shall be a board of equalization to consist of three persons, who shall be selected by the board of commissioners. No person shall be selected as a member of said board who shall not at the time be a housekeeper and owner of real estate of the city, and shall not have been a resident thereof five years next

preceding his election. Said board shall be paid such compensation as may, by ordinance, be fixed, and shall meet at a place suitable to be provided by the city on the first Monday in January of each year. They shall first be duly sworn faithfully to discharge their duties, shall elect from among themselves a chairman and a clerk and shall then notify the commissioners of public finance that they are ready to receive the assessment books, etc., which the commissioner of public finance shall deliver to them, taking his receipt therefor. The assessor shall be in constant attendance on said board and shall furnish them all information he can. They shall have power to cause all city records to be brought to them for their inspection by the custodian thereof, and if it be necessary to retain them for defense, may do so by receipting therefor to the custodian thereof. They may also interrogate any city official, who shall, at their request, attend them and respond to all questions. They shall each have power to administer oaths, and they shall have power to compel the atendance of witnesses, and all persons who shall refuse to attend them or to be sworn by them, or refuse to answer any question, shall be subject to the same penalties as provided for like refusal to the assessor. They shall first compare his real estate assessment with the plat books in the auditor's office and see that every parcel of real estate in the city has been assessed, and if they find any has been omitted, shall certify the same, giving the number of parcels omitted to the city solicitor, who shall enforce the penalty provided in section 3177 against the assessor for so doing, and they shall assess the parcels omitted. They shall hear all complaints against the assessment made by the assessor and shall determine the same. They shall increase or decrease assessments on like property, to make all assessment as uniform as may be, or to place a true value on the property assessed; but no increase shall be made without notice to the person whose property is to be increased, and they may, in the assessment of real estate, increase or decrease all assessments uniformly by adding or

subtracting a percentage of the assessments, and a notice of such increase need not be given except by publication in the official paper of the city. Said board shall remain in session as long as the business may require, but not to exceed four weeks, unless the board of commissioners shall extend the time of the sitting of said board of equalization. A majority of a quorum may determine any question before it. No change in any assessment shall be made by erasure, but there shall be appropriate columns for all changes and additions, and the same shall be made in a different colored ink to that which the assessor has used. When said board shall have completed its labors it shall prepare a statement of the gross assessment of real property and the gross assessment of personal property, and the sum thereof, and also showing the increase or decrease, if any, in the total assessment made by them, under their signatures, which they shall return to the commissioner of public finance with all the assesment books, plats and papers received from him, taking his receipt for the same, which they shall transmit to the board of commissioners.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	T. L. Britton	John R. Buckman
E. S. Allison	John Young Brown	James A. Campbell
D. C. Bradley	J. Watt Brown	Bradley Combs

Elmer Cook	L. B. Hamilton	T. R. McRoberts
Leonard Cook	H. G. Handmaker	Henry Meiman
W. W. Cooper	Rev. B. L. Hargrove	M. F. Moore
Ben L. Cox	J. F. Harrison	B. T. Morris
H. G. Crabtree	Robt. L. Horn	Fred A. Nolte
William J. Curtis	C. E. Houk	Curtis F. Park
Winn Davis	R. L. Jackson	James I. Peters
E. C. Dennington	J. R. Johnston	D. O. Stanley
James R. Dorman	M. F. Jordan	Frank L. Strange
S. J. Douthitt	John B. Klefot	Elmer J. Terry
W. C. Dugan	Frank LeBus	Thomas H. Troxel
William A. Eimer	Martin Light	C. B. Truesdell
Joseph B. Everhart	Fred V. Lucas	J. E. Walters
Kelly J. Francis	Joseph Martin	L. M. Weathers
John B. Furlong	James A. May	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House entitled:

H. B. 636. An Act amending, repealing and re-enacting Sec. 2003, Kentucky Statutes, Carroll's 1822 Edition, being an Act dividing the State of Kentucky into one hundred representative districts.

H. B. 396. An Act providing for a State-wide registration of voters except in cities of the first class.

H. B. 559. An Act relating to county patrols and creation of a county civil service board in any county of this Commonwealth.

H. B. 324. An Act authorizing and directing the Auditor of Public Accounts to draw his warrant for $1,852.21 payable to Vance Prather former Secretary of State Park Commission.

H. B. 388. An Act to amend and re-enact Sec. 3758 Kentucky Statutes.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 641. An Act prohibiting the granting of a lien upon bridges, approaches and appurtenant real estate acquired by whole or in part from the proceeds of Bridge Revenue Bonds issued by the State Highway Commission.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 722. An Act Amending Secs. 4356sa-2 and 4356sa-3 Kentucky Statutes, Baldwin's 1928 Kentucky Statute Service, being sections 2 and 3 respectively of chapter 174 of the Acts of the General Assembly of 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 4356sa-2 and 4356sa-3 Kentucky Statutes, Baldwin's 1928 Kentucky Statute Service, being sec-

tions 2 and 3, respectively, of Chapter 174 of the Acts of the General Assembly of 1928, be amended so that said sections, as amended, shall read as follows:

Section 4356sa-2. The state highway commission hereby is authorized, out of state highway funds, to construct and maintain or join with any adjoining state, county or municipality thereof, or with any county or municipality of this Commonwealth, or with the United States government, or either or all of them, in the construction, reconstruction and maintenance of bridges across or tunnels under any boundary line stream of this State (including the Ohio river) for the purpose of connecting any primary road of this State with a public road or street in an adjoining State, whenever, in the judgment of the commission, the construction of such bridge is deemed necessary or advisable. In constructing bridges across or tunnels under any such boundary line stream, as herein authorized, said highway commission may locate same at such point as in the judgment of the commission is deemed wise, provided that no such bridge or tunnel shall be located further than ten miles from the terminus of the primary road intended to be reached by such bridge or tunnel, and the State highway commission in such cases is authorized to construct such road as may be necessary to connect such bridge or tunnel with the primary road intended to be served thereby, and such connecting road when so constructed shall become and be a part of the primary system of State highways of this Commonwealth, and shall be maintained as such.

Section 4356sa-3. The State highway commission is hereby authorized and empowered to make and enter into written contracts with the owner or owners of any bridge spanning any boundary line stream of this State (including the Ohio river) or the owner or owners of any tunnel under any such stream for the purchase or lease of such bridge or tunnel to connect any primary road of this State with a public road or street in an adjoining State, when the adjoining State or a subdivision thereof or county in this Commonwealth or

subdivision thereof, or the United States joins with said highway commission in the purchase or lease of such bridge or tunnel and jointly or severally contributes to the purchase price thereof, or the annual rental price thereof, an amount equal to or in excess of the amount which the State highway commission proposes to contribute or expend for the purchase or lease of such connecting bridge or tunnel, and when so purchased or leased said State highway commission shall enter into a contract with such adjoining State or subdivision thereof, or county of this Commonwealth or subdivision thereof, or the United States or either or all of them for the joint maintenance and upkeep of such bridge or tunnel so purchased or leased.

Said State highway commission may agree upon the purchase price and cost of said bridge or upon the terms of the lease, with the owner thereof, and with such other parties herein named or either or all of such other parties, and may further agree upon the proportion of the purchase price or annual rental to be contributed by said State highway commission and by such other adjoining State or subdivision thereof, county or counties within this Commonwealth or subdivision thereof, or the United States, or either or all of them, and when such contract or purchase or lease and the agreement apportioning the purchase price or annual rental of such bridge or tunnel between or among said State highway commission and such other parties is approved by the attorney general of this Commonwealth, a copy of said contract or purchase or lease and the agreements of apportionment shall be delivered by the State highway commission to the auditor of public accounts of this Commonwealth who shall draw his warrant on the treasurer of this Commonwealth at the time and for the amount provided in such purchase or lease contract and agreement of apportionment, which warrant shall specify that it is to be payable only out of the State highway road funds, and it shall be delivered to the seller or owner of such bridge or tunnel concurrently with the warrants or

vouchers for the amount or amounts contributed thereto for the purchase or lease thereof by such other adjoining State or subdivision thereof or county or counties in this Commonwealth or subdivision thereof, or the United States and all such contributing parties.

Mr. Dennington moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Meyers moved that the consideration of said bill be postponed indefinitely and that said bill retain its place in the Orders of the Day.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 452. An Act to fix fees that may be charged by persons authorized to take depositions, and enlarging the jurisdiction in which such persons may take depositions and provide that such depositions may be taken in shorthand on written notice.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all persons who are authorized by law now or hereafter, may take depositions in shorthand, by stating in the notice to take said deposition, that same will be taken in shorthand.

§ 2. That such person shall be allowed to charge for taking such depositions at the rate of not less than $2.00 for one witness and $1.00 for each additional witness, not to exceed

$5.00 per day. In addition thereto such person shall have a right to charge for transcribing notes so taken in shorthand, 15c per hundred words and if carbon copies are requested, one-half as charge for carbon copies as original. No further fee shall be charged for said services.

§ 3. Persons who by law are now authorized to take depositions in any county, may take depositions in any other county in the State, by filing with the County Court Clerk in such county and counties, certified copies of his authority, before taking any such depositions in any county other than that now provided by law.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Eversole offered the following Amendment to said bill, viz.:

Amend H. B. 452 by striking from the printed copy section 2 thereof.

Said Amendment was agreed to.

Mr. Combs offered the following Amendments to said bill, viz.:

Amend H. B. 452 on page 2, line 4, section 3 of the printed bill by striking out the word "his" and inserting in place the word "their".

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Winn Davis	Fred V. Lucas
E. S. Allison	E. C. Dennington	Joseph Martin
U. G. Anderson	James R. Dorman	James A. May
William B. Ardery	S. J. Douthitt	T. R. McRoberts
S. A. Blackburn	W. C. Dugan	Henry Meiman
D. C. Bradley	William A. Eimer	Harry J. Meyers
T. L. Britton	Virgil Eversole	M. F. Moore
John Young Brown	Kelly J. Francis	F. Tyler Munford
John R. Buckman	John B. Furlong	L. B. Murphy
James A. Campbell	Ralph Gilbert	M. L. Napier
Lee Clark	L. B. Hamilton	H. L. Nickell
Bradley Combs	Rev. B. L. Hargrove	Fred A. Nolte
Elmer Cook	R. L. Jackson	Denny P. Smith
Leonard Cook	J. Roy Johnson	Frank L. Strange
W. W. Cooper	Theron M. Johnson	Elmer J. Terry
Ben L. Cox	M. F. Jordan	J. A. Thompson
G. Cunningham	John B. Klefot	G. W. Wigginton
J. J. Davis	Frank LeBus	Robert Williams

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Mr. Combs offered the following Amendment to the title of said bill, viz.:

Amend the title to H. B. 452 by striking out the original title and substitute the following:

"An Act enlarging the jurisdiction of persons authorized to take depositions and providing that such depositions may be taken in shorthand on written notice."

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. LeBus of the Committee on Rules reported resolutions and bills of the following titles, viz.:

H. Res. 45. A joint resolution for the appointment of a Commission to study the necessary permanent building program of the Commonwealth of Kentucky.

H. Res. 44. A Resolution authorizing the appointment of a commission to study and report to the next General Assembly recommendations for the reformation, repeal, amendment or enactment of our revenue laws.

H. B. 646. An Act to dedicate to state road purposes certain land, situated in Franklin County, State of Kentucky owned by the Commonwealth of Kentucky.

H. B. 697. An Act establishing a bureau of medical education and hospitals in the State Board of Health and for state aid to county and community hospitals and providing appropriations therefor.

H. B. 677. An Act to amend and re-enact section 12, Chapter 64 of the Acts of 1924 session of the General Assembly, relating to registration for elections in cities and towns having a population of 5,000 inhabitants or more.

H. B. 134. An Act to amend and re-enact Sec. 3105 of the Kentucky Statutes, relating to the construction of sewers in cities of the 2nd class.

H. B. 755. An Act to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain corporations for profit.

H. B. 742. An Act to authorize the State Board of Charities and Corrections to lease and equip additional lands and buildings to be used as dormitories and work shops for the excess prison population of the reformatory at Frankfort.

S. B. 108. An Act authorizing State Board of Charities and Corrections to employ necessary guards.

With the expression of opinion that said resolutions and bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed in the Orders of the Day.

At the instance of the Committee on Rules the House took up for consideration from the Calendar, bills and resolution of the following titles, viz.:

S. B. 344. An Act to fix and regulate the time of holding the terms of Circuit Court in the 29th Judicial District.

S. B. 337. An Act relating to the office of Assistant Secretary of State.

S. B. 380. An Act establishing as a part of the primary system of State Highways a road in Franklin county.

S. B. 308. An Act to amend and re-enact Sec. 2290a Chapter 74a, of Carroll's Kentucky Statutes.

S. B. 231. An Act regulating the transportation by motor vehicle of all officers and employees of the State of Kentucky, excluding the Governor and Lieutenant Governor.

H. B. 719. An Act to authorize the Governor to receive as trustee for the Secretary of War of the United States and distribute as trustee according to his judgment certain "Other Funds."

H. B. 432. An Act amending and re-enacting secs. 14, 17, 33 and 37 of Chapter 112 of the Acts of the General Assembly of 1918.

H. B. 740. An Act concerning and providing for the closing, discontinuing, and condemning of streets.

H. B. 741. An Act to amend and re-enact Sec. 3012 of Carroll's Kentucky Statutes, Baldwin's Edition 1922.

H. B. 690. An Act providing for the reinbursement of the City of Lexington for the construction of a concrete street in from the Eastern Kentucky State Hospital.

H. B. 514. An Act to repeal, amend and re-enact Sec. 4346a-1, relating to width of tires on vehicles.

H. B. 720. An Act authorizing the fiscal courts of counties having cities of the second class therein to employ a zoning engineer and fixing his compensation.

H. B. 753. An Act relating to motor vehicles, providing for the repeal, amending and re-enactment of subsec. (b) of Sec. 2739g-2, Carroll's Kentucky Statutes.

H. B. 614. An Act amending Sec. 2739j-30, Kentucky Statutes being section 30 of Chapter 112 of the Acts of 1926.

H. B. 320. An Act relating to loan companies and license tax to be paid.

S. B. 371. An Act authorizing cities of the second class to contract with persons, firms or corporations owning bridges within their boundaries, etc.

H. Res. 46. Resolution providing for furnishing Kentucky Directories.

Ordered that said bills be read the second time.

The constitutional provision as to the second reading of said bills and resolution at length being dispensed with, said bills and resolution were read the second time by their titles only.

Ordered that said bills and resolution be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 38. Joint resolution for the benefit of the Kentucky Children's bureau.

Said resolution is as follows, viz.:

Whereas, the General Assembly of Kentucky by Chapter 17 of the Acts of the General Assembly, Session 1928, Acts 1928, page 17, established the Kentucky Children's Bureau, its purpose and intent being to promote the welfare of delinquent, neglected, dependent and defective children of the Commonwealth; and,

Whereas, said Board under and by said Act was established, and began to function, and entered well on to this very necessary and helpful work; and,

Whereas, by section 27 of said Act the General Assembly appropriated the sum of five thousand ($5,000.00) dollars for the fiscal year ending June 30th, 1929, and;

Whereas, the Act went into effect on March 21st, 1929, and it was necessary in the outset to equip and provide the necessary offices directed by the Act, and in doing so it was absolutely necessary to spend the greater portion of said $5,000.00 in providing said offices and equipment, and very little or no part of said money was used for relief work or in establishing County Welfare Boards; and,

Whereas, at the close of the fiscal year, June 30th, 1929, when the Board had only functioned since March 21st, 1929, the said Board turned back to the Treasurer of the Commonwealth the sum of One Thousand seven hundred seventy-three and sixty-three one-hundredths ($1,773.63) dollars, unexpended; and,

Whereas, it is the sense of the General Assembly that said Board should have the benefit and use of said unexpended balance of its appropriation for 1929 in order that it may properly carry out its philanthropic work.

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of the Commonwealth of Kentucky be and he is ordered and directed to credit to the account of the Kentucky Children's Bureau, $1,773.63, for its use and benefit, and issue warrants against same on orders of said Board, said warrants when so issued to be honored by the Treasurer of the Commonwealth of Kentucky, said sum to be so credited and to be available upon passage and approval of this Resolution.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Henry Meiman
E. S. Allison	W. C. Dugan	Harry J. Meyers
W. O. Baxter	J. W. Edwards	M. F. Moore
S. A. Blackburn	J. O. Evans	B. T. Morris
D. C. Bradley	Joseph B. Everhart	M. L. Napier
T. L. Britton	Virgil Eversole	H. L. Nickell
J. Watt Brown	Kelly J. Francis	Curtis F. Park
John R. Buckman	John B. Furlong	J. D. Patton
James A. Campbell	L. B. Hamilton	James I. Peters
Lee Clark	H. G. Handmaker	Denny P. Smith
Bradley Combs	Rev. B. L. Hargrove	D. O. Stanley
Elmer Cook	Robt. L. Horn	Frank L. Strange
Leonard Cook	R. L. Jackson	J. A. Thompson
W. W. Cooper	J. Roy Johnson	Thomas H. Troxel
Ben L. Cox	J. R. Johnston	C. B. Truesdell
H. G. Crabtree	M. F. Jordan	J. E. Walters
G. Cunningham	Frank LeBus	L. M. Weathers
J. J. Davis	Martin Light	G. W. Wigginton
Winn Davis	Fred V. Lucas	Robert Williams
E. C. Dennington	James A. May	
James R. Dorman	T. R. McRoberts	—61

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 2. A Bill relating to certificating superintendents and supervisors of public schools and fixing standards of

qualifications for same and providing for reissue of such certificates.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all persons now holding positions of superintendent or supervisor in the public schools of this Commonwealth having certificates entitling them to hold such position or employment, which expire on or before June 30, 1930, who have served not less than one full term of four years in such position or employment, shall be eligible for re-election or re-appointment on or before the expiration of their present official position or employment.

§ 2. That the certificates of eligibility which they hold shall be reissued by the State Board of Education for a full term of four years and the experience of such superintendents or supervisors shall be accepted as fully meeting all requirements for reissue of such certificates, and for holding such positions or offices.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. Watt Brown	W. W. Cooper
U. G. Anderson	John R. Buckman	Ben L. Cox
W. O. Baxter	James A. Campbell	H. G. Crabtree
S. A. Blackburn	Bradley Combs	G. Cunningham
D. C. Bradley	Leonard Cook	J. J. Davis

Winn Davis	J. Roy Johnson	Fred A. Nolte
E. C. Dennington	J. R. Johnston	Caleb A. Page
James R. Dorman	M. F. Jordan	J. D. Patton
S. J. Douthitt	John B. Klefot	James I. Peters
W. C. Dugan	Frank LeBus	Denny P. Smith
Garland Embry	Fred V. Lucas	Frank L. Strange
Joseph B. Everhart	James A. May	J. A. Thompson
Virgil Eversole	T. R. McRoberts	Thomas H. Troxel
John B. Furlong	Henry Meiman	C. B. Truesdell
L. B. Hamilton	Harry J. Meyers	L. M. Weathers
H. G. Handmaker	M. F. Moore	G. W. Wigginton
Rev. B. L. Hargrove	F. Tyler Munford	Robert Williams
Robt. L. Horn	M. L. Napier	
R. L. Jackson	H. L. Nickell	—55

There voted in the negative—

T. L. Britton — 1

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 438. An Act repealing Section 2739g-7, Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739g-7, Kentucky Statutes, be and the same is hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Kelly J. Francis	Henry Meiman
E. S. Allison	John B. Furlong	M. F. Moore
W. O. Baxter	Ralph Gilbert	F. Tyler Munford
S. A. Blackburn	L. B. Hamilton	H. L. Nickell
T. L. Britton	Robt. L. Horn	Fred A. Nolte
J. Watt Brown	C. E. Houk	Caleb A. Page
John R. Buckman	J. Roy Johnson	James I. Peters
James A. Campbell	Theron M. Johnson	J. A. Thompson
W. W. Cooper	J. R. Johnston	Thomas H. Troxel
Ben L. Cox	M. F. Jordan	C. B. Truesdell
H. G. Crabtree	John B. Klefot	J. E. Walters
E. C. Dennington	Frank LeBus	G. W. Wigginton
James R. Dorman	Martin Light	Robert Williams
S. J. Douthitt	T. R. McRoberts	—41

Those who voted in the negative were—

Bradley Combs	Joseph B. Everhart	J. D. Patton
G. Cunningham	H. G. Handmaker	L. M. Weathers
W. C. Dugan	R. L. Jackson	
William A. Eimer	Harry J. Meyers	—10

Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 20. Joint Resolution for the payment to John P. Cusick, Secretary of the State Board of Election Commissioners, of his salary for the month of June, 1928, amounting to $20.83.

Said resolution is as follows, viz.:

That whereas, the budget allowance of the State Board of Election Commissioners amounting to $610.00 for the fiscal year ending June 30, 1928, was not sufficient to pay the expenses of the board up to that period, and John P. Cusick, secretary of said board, did not receive his salary for June, 1928, amounting to $20.83, and

Whereas, at the close of the fiscal year ending June 30, 1929, there was turned back to the State Treasury an unexpended amount of $76.82 of the budget of $610.00, allowed the State Board of Election Commissioners, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the Auditor of Public Accounts is directed to draw his warrant upon the treasury for the sum of $20.83 payable to said John P. Cusick, secretary of the State Board of Election Commissioners, for his services as secretary of said board for the month of June, 1928.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Winn Davis	M. F. Jordan
E. S. Allison	E. C. Dennington	John B. Klefot
U. G. Anderson	James R. Dorman	Frank LeBus
William B. Ardery	S. J. Douthitt	Martin Light
S. A. Blackburn	W. C. Dugan	James A. May
D. C. Bradley	William A. Eimer	Henry Meiman
T. L. Britton	J. O. Evans	Harry J. Meyers
John Young Brown	Virgil Eversole	M. F. Moore
J. Watt Brown	Kelly J. Francis	F. Tyler Munford
John R. Buckman	John B. Furlong	L. B. Murphy
James A. Campbell	Ralph Gilbert	M. L. Napier
Lee Clark	F. A. Gnau	H. L. Nickell
Bradley Combs	L. B. Hamilton	Fred A. Nolte
Elmer Cook	Rev. B. L. Hargrove	Denny P. Smith
W. W. Cooper	Robt. L. Horn	Frank L. Strange
Ben L. Cox	C. E. Houk	J. A. Thompson
H. G. Crabtree	R. L. Jackson	C. B. Truesdell
G. Cunningham	J. Roy Johnson	L. M. Weathers
J. J. Davis	Theron M. Johnson	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. B. 414. An Act to repeal and re-enact Sections 1468, 1472, 1481, 1482 and 1483 and to enact a new section 1483a.

S. B. 70. An Act to amend Sec. 4356t-2 of 1928 supplement to Carroll's 1922 Kentucky Statutes, relating to executive inspector of State Highway Commission. .

S. B. 26. An Act in relation to direct ad valorem taxes levied and collected by U. S. Government.

S. B. 43. An Act to amend and re-enact Sec. 3142b-4 Carroll's Statutes, 6th Edition, entitled "An Act to amend and to re-enact Sections 3140 and 3138 Kentucky Statutes."

S. B. 27. An Act defining plumbing, master plumber and journeyman plumber.

S. B. 241. An Act consenting to the acquisition by the U. S. of land, water or land and water within the State of Kentucky for the migratory bird reservations.

S. B. 390. An Act repealing and re-enacting Sec. 2000 Kentucky' Statutes, Carroll's 1922 Edition, being an Act dividing the State of Kentucky into 38 Senatorial districts.

H. B. 641. An Act prohibiting the granting of a lien upon bridges, approaches and appurtenant real estate acquired in whole or in part from the proceeds of Bridge Revenue Bonds issued by the State Highway Commission.

H. B. 559. An Act relating to county patrols and creation of a county civil service board in any county of this Commonwealth in which there is located a city of the first class.

H. B. 396. An Act providing for a State wide registration of voters except in cities of the first class, fixing the time and manner in which the voters of the State shall register.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of the House deliver said bills which originated in the House to the Senate.

After a time the Enrolling Clerk of this House delivered the original and enrolled copies of said House bills, excepting House Bill 396, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had made the attempt to deliver House Bills Nos. 559 and 641 to the Governor but found the office of the Chief Executive closed whereupon he knocked vigorously on the door and called in a voice loud enough to be heard by any person within said office, announcing that he wished to deliver the aforesaid bills which had passed the General Assembly and been duly signed by the presiding officers of both Houses. He also reported that he had attempted to locate by means of the telephone, the Governor or either of any of the members of his office acting as secretaries to the Governor.

The hour of two o'clock having arrived the House stood adjourned.

MONDAY, MARCH 10, 1930.

The House was opened with prayer by the Reverend Hampton Adams of the First Christian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
Thomas Dunn
J. W. Edwards
William A. Eimer
J. O. Evans
Kelly J. Francis
John B. Furlong
Ralph Gilbert
F. A. Gnau
L. B. Hamilton
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Geo. R. McIntosh
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
L. B. Murphy
M. L. Napier
H. L. Nickell
Fred A. Nolte
Caleb A. Page
Curtis F. Park
J. D. Patton
James I. Peters
John W. Preston
W. E. Randall
Dorsey Ratliff
D. O. Stanley
Frank L. Strange
Thomas H. Troxel
C. B. Truesdell
H. Speed Tye
Dr. Vallandingham
J. D. Via
L. M. Weathers
G. W. Wigginton
Robert Williams
J. S. Milliken, Spkr.

Mr. Dorman of the Committee on Rules, moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of the Committee on Rules moved that Mr. McRoberts be granted a leave of absence.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred to Committee on Rules, viz.:

By Mr. LeBus:

H. B. 763. An Act amending Section 138 Kentucky Statutes, Carroll's 1930 Edition, Baldwin's Revision being an act relating to salaries of the Auditor.

By Mr. Dunn:

H. B. 764. An Act to repeal, amend and re-enact Section 4042a-8 of Kentucky Statutes, relating to the Compensation of County Tax Commissioners.

By Mr. Houk:

H. B. 765. An Act relating to the adoption of text-books in this Commonwealth and providing that not more than 33 1/3% of the basal text-books heretofore adopted and in

use in any adoption unit shall be changed within a period of five years.

H. Res. 49. Authorizing J. D. Purcell Company, a Kentucky Corporation, to file suit against the Commonwealth of Kentucky.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. Res. 45. A joint resolution for the appointment of a Commission to study the necessary permanent building program of the Commonwealth of Kentucky.

H. Res. 44. A Resolution authorizing the appointment of a commission to study and report to the next General Assembly recommendations for the reformation, repeal, amendment or enactment of our revenue laws.

H. B. 646. An Act to dedicate to state road purposes certain land, situated in Franklin County, State of Kentucky owned by the Commonwealth of Kentucky.

H. B. 697. An Act establishing a bureau of medical education and hospitals in the state board of health and for state aid to county and community hospitals and providing appropriations therefor.

H. B. 677. An Act to amend and re-enact section 12, Chapter 64 of the Acts of 1924 session of the General Assembly, relating to registration for elections in cities and towns having a population of 5,000 inhabitants or more.

H. B. 134. An Act to amend and re-enact Sec. 3105 of the Kentucky statutes, relating to the construction of sewers in cities of the 2nd class.

H. B. 755. An Act to provide for the incorporation, regulation, merger, consolidation, and dissolution of certain corporations for profit.

S. B. 108. An Act authorizing State Board of Charities and Corrections to employ necessary guards.

H. B. 742. An Act to authorize the State Board of Charities and Corrections to lease and equip additional lands and buildings to be used as dormitories and workshops for the excess prison population of the reformatory at Frankfort.

Ordered that said bills be read the second time.

The constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The Chief Clerk reported that he had again attempted to deliver House bills Numbers 559 and 641 to the Governor, which enrolled bills were attested thereupon by him asking receipt of March 8, the date of delivery, and that the Governor had refused to accept and receipt said bills as attested, of March 8.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 577. An Act to amend and re-enact Sec. 625 of Kentucky Statutes, Carroll's 1922 Edition, relating to the investment of capital stock and accumulations of Insurance Companies.

With a Committee Amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section six hundred and twenty-five of the Kentucky Statutes, Carroll's Edition 1922, be amended and re-enacted so that when same is amended and re-enacted it shall read as follows:

The capitol stock and accumulations of all insurance corporations may be invested in bonds and mortgages, lien notes or deeds of trust on unencumbered real estate, worth fifty per cent more than the sum loaned thereon, exclusive of buildings, unless such buildings are insured, and the policy transferred to said company, and continued in force so long as the loan continues, and also in the bonds of this state and of other states of the United States, and in the bonds of railroads of states, and, also, in bonds of any county, city, town, township or school district of this state or other states of the United States, authorized to be issued by the legislature thereof, and also in the stocks of incorporated state banks and trust companies and national banks of this state and other states of the United States, and of incorporated insurance companies of this state and other states of the United States, and in the bonds of railroads of this state and other states of the United States, and in the bonds or stocks of any bridge, water, street railroad, traction, gas or electric corporations of this state, or of other states of the United States, which shall have a market value of not more than twenty per cent below par, and to lend the same, or any part thereof, on the security of such bonds and stocks, or of bonds and mortgages and deeds of trust as aforesaid, or upon the security of their own policies; and by depositing funds and moneys in, and the purchase of the shares and stock of building and loan associations incorporated under the laws of Kentucky and conducting business within this state as provided by the Statutes of this state; and to change and reinvest the same as occasion may from time to

time require: and in all investments made upon mortgage securities the evidence of the debt and the value of the property shall accompany the mortgage. No insurance company shall own more than one-third of the capital stock of any bank, nor invest in, nor loan on, the stocks and bonds, both included, of any one railroad company, more than one-seventh of its capital stock and accumulated funds, nor in the aggregate shall the investment in and loan on all roalroad property exceed one-half of its capital and accumulated funds, nor invest in nor loan on the stocks and bonds, both included, of any one street railroad or traction corporation more than one-seventh of its own capital stock and accumulated funds, nor in the aggregate shall the investment in and loan on all street railroad and traction property exceed one-half of its capital and accumulated funds, nor shall the loans on mortgage of real estate, exclusive of lien notes, exceed three-fourths of the capital and accumulated funds of any company organized under the laws of this Commonwealth.

Insurance companies, chartered by this state, and now doing business, shall not be compelled to change any investment heretofore legally made.

§ 2. All acts and parts of acts in conflict herewith are to the extent of such conflict hereby repealed.

Said Substitute is as follows, viz.:

An Act to amend and re-enact section six hundred and twenty-five of the Kentucky Statutes, Carroll's 1922 Edition, relating to the investment of capital stock and accumulations of insurance companies.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section six hundred and twenty-five of the Kentucky Statutes, Carroll's Edition 1922, be repealed and re-enacted so as to read as follows:

The capital stock and accumulations of all insurance corporations may be invested in bonds and mortgages, lien notes or deeds of trust on unencumbered real estate, worth fifty per cent more than the sum loaned thereon exclusive of buildings, unless such buildings are insured, and the policy transferred to said company, and continued in force so long as the loan continues, and also in the bonds of this state and of the United States and other states of the United States, and in warrants of the State of Kentucky and in the bonds of railroads of states, and also, in the bonds of any county, city, town, township or school district, of this state or other states of the United States, authorized to be issued by the legislature thereof, and also in the stock of incorporated state banks and trust companies and national banks of this state and other states of the United States, and of incorporated insurance companies of this state and other states of the United States, and in the bonds or stocks of corporations whose only business is to own and hold bonds and stocks of corporations in which insurance companies may invest their capital stock and accumulations, and in the bonds or stocks of any railroad, telephone, telegraph, bridge, water, gas or electric corporations of this state, or other states of the United States, which shall have a market value of not more than twenty per cent below par, and may deposit funds and moneys in and purchase shares of stock of building and loan associations incorporated under the laws of Kentucky and conducting business within this state as provided by the statutes of this state, and to lend the same, or any part thereof, on the security of such bonds and stocks, or of bonds and mortgages and deeds of trust as aforesaid, or upon the security of their own policies; and to change and reinvest the same as occasion may from time to time require; and in all investments made upon mortgage securities the evidence of debt and the value of the property shall accompany the mortgage. No insurance company shall own more than one-third of the capital stock of any bank, or invest in, or loan on, the stocks and bonds, both in-

cluded, of any one railroad company more than one-seventh of its capital stock and accumulated funds nor in the aggregate shall the investment in and loan on all railroad property exceed one-half of its capital and accumulated funds, or invest in or lend on the stock of a holding company or companies more than twenty-five per cent of its capital stock and accumulations, or in the stock of a holding company that owns or controls any of the capita stock of the insurance company so investing, or invest in or lend on the stocks of corporations which shall not have yielded continuous and regular dividends equal to five per cent for five years previous to said investment, provided however, that this does not apply to stocks of a corporation which has been created and issued for the purpose of replacing an issue of preferred stock of the same company, or corporation, and upon which, including the dividend record of the replaced issue, regular dividends have been paid for five years previous, nor shall the loans on mortgage of real estate exceed three-fourths of the capital and accumulated funds of any company organized under the laws of this Commonwealth.

Insurance companies, chartered by this state, and now doing business, should not be compelled to change any investment heretofore legally made.

Said Substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with; the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Harry J. Meyers
E. S. Allison	C. B. Dowling	Clarence Miller
U. G. Anderson	W. C. Dugan	Russell O Miller
W. O. Baxter	Thomas Dunn	M. F. Moore
S. A. Blackburn	William A. Eimer	B. T. Morris
D. C. Bradley	J. O. Evans	L. B. Murphy
T. L. Britton	John B. Furlong	H. L. Nickell
J. Watt Brown	Kelly J. Francis	Fred A. Nolte
John R. Buckman	F. A. Gnau	Caleb A. Page
Dr. R. A. Byers	L. B. Hamilton	Curtis F. Park
James A. Campbell	C. E. Houk	J. D. Patton
Lee Clark	R. L. Jackson	James I. Peters
Bradley Combs	Grover C. Johnson	John W. Preston
Elmer Cook	J. Roy Johnson	W. E. Randall
Leonard Cook	M. F. Jordan	Frank L. Strange
W. W. Cooper	John B. Klefot	E. J. Thomas
Ben L. Cox	Frank LeBus	C. B. Truesdell
G. Cunningham	H. R. Marquette	Dr. Vallandingham
J. J. Davis	J. R. Johnston	J. D. Via
Winn Davis	B. K. Marshall, Jr.	L. M. Weathers
E. C. Dennington	James A. May	G. W. Wigginton
James R. Dorman	Henry Meiman	Robert Williams

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Resolved that the title thereof be as amended.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 82. An Act to amend Sec. 1954b-11 Kentucky Statutes, Sixth Edition, 1922.

Said Bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Amend Section 1954b-11 by striking out beginning with the word "except" in the seventh line of said section the following words, "except that the raccoon, opossum, skunk and mink may also be taken and killed by dog or gun between the first day of October and the fifteenth day of February, both days inclusive, of any year." So that said section as amended and re-enacted shall read as follows:

No person shall take, trap, shoot or kill any beaver, mink, raccoon, fox, otter, opossum or skunk in the State of Kentucky from the first day of January to the 14th day of November, both days inclusive, of any year; provided, however, that when any of the animals mentioned in this section are found injuring or doing damage to or destroying any property, the person whose property is being damaged, injured or destroyed, may at any time kill them on his own premises when necessary for the protection of his property. Any person violating this section, or any portion thereof, shall, upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not less than five dollars ($5) nor more than twenty-five dollars ($25) for each offense, to which may be added imprisonment in county jail not exceeding thirty days.

Mr. Dowling offered the following Amendment to said bill, viz.:

Amend S. B. 82 by striking from said bill the words "fox, oppossum or skunk."

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Thomas Dunn	Henry Meiman
E. S. Allison	J. W. Edwards	Harry J. Meyers
U. G. Anderson	William A. Eimer	M. F. Moore
W. O. Baxter	Joseph B. Everhart	Tyler F. Munford
S. A. Blackburn	Kelly J. Francis	H. L. Nickell
John R. Buckman	John B. Furlong	Fred A. Nolte
James A. Campbell	Ralph Gilbert	James I. Peters
Lee Clark	L. B. Hamilton	Dorsey Ratliff
Bradley Combs	C. E. Houk	D. O. Stanley
W. W. Cooper	R. L. Jackson	Frank L. Strange
Ben L. Cox	J. R. Johnston	C. B. Truesdell
H. G. Crabtree	M. F. Jordan	Dr. Vallandingham
G. Cunningham	Frank LeBus	J. D. Via
E. C. Dennington	Joseph Martin	L. M. Weathers
James R. Dorman	James A. May	G. W. Wigginton
S. J. Douthitt	Geo. R. McIntosh	Robert Williams

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Those who voted in the negative were—

D. C. Bradley	J. O. Evans	Curtis F. Park
T. L. Britton	Grover C. Johnson	John W. Preston
Dr. R. A. Byers	J. Roy Johnson	W. E. Randall
J. J. Davis	Theron M. Johnson	Thomas H. Troxel
C. B. Dowling	Martin Light	
W. C. Dugan	Caleb A. Page	

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 502. An Act to amend Article 11 relating to municipal corporations of the second class, Sec. 3235a-1, of Carroll's Statutes, 1930 Edition.

Said bill is as follows, viz.:

An Act to amend Section 3235a-1 of Carroll's Statutes, 1930 Edition, being part of Article 11 of said Statutes, relating to municipal corporations of Cities of the second class.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 3235a-1, being a part of Article 11 relating to municipal corporations of the second class, be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

"Section 3235a-1. Each city in this state of the second class, together with the territory now within its limits, or which may, in the future, be included by any change in these limits, shall be and constitute a single school district, and the supervision and government of common schools and common school property therein shall be vested in a board of five trustees, to be called and known as the 'Board of education of ....., Kentucky,' (in which title the name of such city shall be inserted.) Such board of education shall be a body corporate and shall have power, by and in said name, to sue and be sued, contract and be contracted with, purchase, receive, hold and sell property, do all things necessary to accomplish the purpose for the attainment of which such school district is organized, and succeed to all the property, property rights and privileges, of whatever kind or nature, granted

and belonging to any previous corporation, board of education or school district in such city, or officers thereof, authorized or empowered by any enactment of the general assembly of the state to do anything in reference to public education; Provided, that all pending suits to which any such previous corporation, board of education or school district or officer thereof is a party, may be prosecuted to an end in the name of such party. All titles to property previously granted to such city by the United States, or this state, for common school purposes, and the title to all school lands and other property of every kind, shall be vested in the Board of Education established by this act. Provided, however, that the title to all school property annexed to any city of the second class which was formerly a part of the county, that the said title to said property shall remain in the county board of education unless the title thereto is conveyed by the county board of education to the board of education of said city annexing said property, or unless said property is acquired by condemnation proceedings as hereinafter set out.

Mr. Vallandingham offered the following Amendment to said bill, viz.:

Amend H. B. 502 by adding at the end of said bill on page 2 the following:

If any city desires to buy any property annexed to any city which formerly belonged to any county board of education and an agreement cannot be reached as to the purchase price thereof necessitating condemnation proceedings, the commissioners and the court in fixing the value of the property sought to be condemned shall take into consideration the assessed value of the property annexed and the assessed value of the remaining property in the county and credit the total value of the property sought to be condemned in proportion as the assessed value of the property annexed bears to the assessed value of the property remaining in the county.

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as folows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Joseph B. Everhart	Clarence Miller
U. G. Anderson	Virgil Eversole	Russell O. Miller
W. O. Baxter	Kelly J. Francis	M. F. Moore
S. A. Blackburn	John B. Furlong	B. T. Morris
D. C. Bradley	F. A. Gnau	Tyler F. Munford
T. L. Britton	L. B. Hamilton	L. B. Murphy
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Robt. L. Horn	Fred A. Nolte
James A. Campbell	C. E. Houk	Caleb A. Page
Bradley Combs	Grover C. Johnson	Curtis F. Park
W. W. Cooper	J. Roy Johnson	J. D. Patton
Ben L. Cox	M. F. Jordan	James I. Peters
H. G. Crabtree	Frank LeBus	John W. Preston
G. Cunningham	H. R. Marquette	W. E. Randall
James R. Dorman	Joseph Martin	D. O. Stanley
S. J. Douthitt	James A. May	Dr. Vallandingham
W. C. Dugan	Geo. R. McIntosh	L. M. Weathers
Thomas Dunn	Henry Meiman	G. W. Wigginton
J. O. Evans	Harry J. Meyers	Robert Williams

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Those who voted in the negative were—

F. B. Adcock	C. B. Dowling	Frank L. Strange
Elmer Cook	William A. Eimer	C. B. Truesdell
E. C. Dennington	R. L. Jackson	

— 8

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 289. An Act requiring horse-drawn vehicles to be lighted between sundown and dawn and fixing a penalty for violation thereof.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be unlawful for any person, company or corporation to operate a horse-drawn vehicle upon any of the public highways of this Commonwealth without having attached to or about such vehicle a light in a sufficiently conspicuous place to be seen by persons approaching from the front or rear.

§ 2. Any person, company or corporation violating this act shall be fined not less than five dollars ($5.00) nor more than one hundred dollars ($100.00) for each offense.

§ 3. This act shall take effect from and after its passage and approval as required by law.

Said Amendment as offered by the Committee is as follows, viz.:

Add to Section 1, after the word "Commonwealth" the words "during the hours from sunset to sunrise."

Said Amendment was agreed to.

Mr. Gnau offered the following amendment to said bill, viz.:

Amend H. B. 289 by striking from printed copy line 2, Section 1 the word "Public" and inserting in lieu thereof the words "State maintained."

Said Amendment was agreed to.

Mr. Hamilton offered the following Amendment to said bill, viz.:

Amend H. B. 289 in line 5 strike out the word "front."

Said Amendment was agreed to.

Mr. Nichols offered the following Amendment to said bill, viz.:

Amend H. B. 289 by striking out the words and figures "five dollars ($5.00)" in line 2 of Section 2 and inserting in lieu thereof "one dollar ($1.00)", and by striking out the words and figures "One hundred dollars ($100.00)" in lines 2 and 3 of Section 2 and inserting in lieu thereof the words and figures "ten dollars ($10)."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	H. R. Marquette
William B. Ardery	J. O. Evans	B. K. Marshall, Jr.
W. O. Baxter	Joseph B. Everhart	Joseph Martin
S. A. Blackburn	Virgil Eversole	James A. May
D. C. Bradley	Kelly J. Francis	Geo. R. McIntosh
John Young Brown	F. A. Gnau	Henry Meiman
John R. Buckman	L. B. Hamilton	Harry J. Meyers
Dr. R. A. Byers	H. G. Handmaker	F. Tyler Munford
James A. Campbell	Rev. B. L. Hargrove	Andrew W. Nichols
Bradley Combs	Robt. L. Horn	Fred A. Nolte
Leonard Cook	C. E. Houk	Curtis F. Park
G. Cunningham	R. L. Jackson	John H. Pickett
James R. Dorman	Grover C. Johnson	Frank L. Strange
S. J. Douthitt	J. R. Johnston	C. B. Truesdell
Thomas Dunn	John B. Klefot	J. E. Walters
J. W. Edwards	Frank LeBus	—47

Those who voted in the negative were—

E. S. Allison	J. F. Harrison	James I. Peters
T. L. Britton	J. Roy Johnson	John W. Preston
Lee Clark	Theron M. Johnson	W. E. Randall
Elmer Cook	M. F. Jordan	Dorsey Ratliff
W. W. Cooper	Martin Light	D. O. Stanley
Ben L. Cox	Russell O. Miller	Thomas H. Troxel
H. G. Crabtree	M. F. Moore	J. D. Via
J. J. Davis	B. T. Morris	L. M. Weathers
C. B. Dowling	H. L. Nickell	G. W. Wigginton
W. C. Dugan	Caleb A. Page	Robert Williams
John B. Furlong	J. D. Patton	—32

Mr. Johnson offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 289 by substituting the words "sunset to sunrise" instead of "sundown to dawn."

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a resolution which originated in this House entitled:

H. Res. 39. Resolution authorizing the Kentucky Road Construction Company to sue the Commonwealth.

Ordered that said resolution be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 71. An Act to amend Section 1697 Carroll's 1922 Edition, Kentucky Statutes, by striking therefrom the words "all the poultry on hand" and inserting in lieu thereof the words "poultry on hand not to exceed one hundred dollars ($100.00) in value."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1697, Carroll's 1922 Edition, Kentucky Statutes, be amended by striking therefrom the words, "all the poultry on hand," and inserting in lieu thereof the words, "poultry on hand not to exceed one hundred dollars ($100.00) in value." So that said section, when said words are stricken and said words inserted in lieu thereof will read: "The following property of persons with a family resident of this Commonwealth, shall be exempt from execution, attachment, distress, or fee-bill, namely: Two work beasts, or one work beast and one yoke of oxen; two plows and gear; one wagon and set of gear, or cart or dray; two axes, three hoes, one spade, one shovel; two cows and calves; beds, bedding and furniture sufficient for famiy use; one loom and spinning wheel and pair of cards; all of the spun yard and manufactured cloth manufactured by the family necessary for family use, carpeting for all family rooms in use; one table; all books not to exceed seventy-five dollars in value; two saddles and their appendages; two bridles; six chairs, or so many as shall not exceed ten dollars ($10.00) in value; one cradle; poultry on hand not to exceed one hundred dollars ($100.00) in value; ten head of sheep, not to exceed twenty-five dollars ($25.00) in value; all wearing apparel; sufficient provisions, including breadstuff and animal food to sustain the family for one year; provender suitable for live stock, if there be any such stock, not to exceed seventy dollars ($70.00) in value; and if such provender be not on hand, such other property as shall not exceed such sum in value; all washing apparatus, not to exceed seventy-five dollars ($75.00) in value; one sewing machine, and all family portraits and pictures; one cooking stove and appendages, and other cooking utensils not to exceed in value twenty-five dollars ($25.00); ninety per centum (90%) of the salary, wages, or income of seventy-five dollars ($75.00) or less per month, provided that the lien created by service of

garnishment, execution, or attachment, shall only affect ten per centum (10%) of such salary, wages, or income, earned at the time of service of process; of the salary, wages, or income earned by labor, of every person earning a salary, wages or income in excess of seventy-five dollars ($75.00) per month, sixty-seven and one half dollars ($67.50) per month and no more shall be exempt; Provided, that these amended exemptions shall only apply in actions brought upon contracts entered into after the effective date of this act, and no provision of this law shall be construed to make it retroactive in effect."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Ben L. Cox	L. B. Hamilton
E. S. Allison	H. G. Crabtree	H. G. Handmaker
U. G. Anderson	J. J. Davis	Robt. L. Horn
William B. Ardery	E. C. Dennington	C. E. Houk
S. A. Blackburn	James R. Dorman	R. L. Jackson
D. C. Bradley	S. J. Douthitt	Grover C. Johnson
T. L. Britton	C. B. Dowling	Theron M. Johnson
John Young Brown	W. C. Dugan	J. R. Johnston
J. Watt Brown	Thomas Dunn	M. F. Jordan
John R. Buckman	J. W. Edwards	Frank LeBus
Dr. R. A. Byers	William A. Eimer	Martin Light
Bradley Combs	Joseph B. Everhart	Joseph Martin
Elmer Cook	Kelly J. Francis	James A. May
Leonard Cook	John B. Furlong	Geo. R. McIntosh
W. W. Cooper	F. A. Gnau	Henry Meiman

Harry J. Meyers	Curtis F. Park	Frank L. Strange
Clarence Miller	J. D. Patton	Thomas H. Troxel
Russell O. Miller	James I. Peters	C. B. Truesdell
M. F. Moore	John H. Pickett	Dr. Vallandingham
B. T. Morris	John W. Preston	J. E. Walters
M. L. Napier	W. E. Randall	G. W. Wigginton
H. L. Nickell	Dorsey Ratliff	Robert Williams

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Those who voted in the negative were—

William J. Curtis	J. F. Harrison	J. A. Thompson

—3

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 90. An Act to amend Sections 20 and 25 of an act entitled, "An Act concerning guardians," approved December 3, 1892, being Sections 2034 and 2039 of the Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 20 of an act entitled, "An Act concerning guardians," approved December 3, 1892, being Section 2034 of the Kentucky Statutes, be amended by substituting in subsection 2 thereof the words, "support, maintenance

or education," for the words, "board and tuitition," so that said section as amended shall read as follows:

"No disbursements shall be allowed the guardian for the support, maintenance or education of the ward beyond the income of the estate, except in the following cases, unless authorized by the deed or will under which the estate is derived:

"(1) When the ward is of such tender years or infirm health that he cannot be bound out as an apprentice, or no suitable person will take him as such.

"(2) When it is best for the ward that the principal of his personal estate shall be applied for his support, maintenance or education, and the court, upon settlement of the accounts, shall deem such application to have been judicious and properly made. But neither the ward nor his real estate shall be liable for any such disbursement."

§ 2. That Section 25 of said "act concerning guardians," being Section 2039 of the Kentucky Statutes, be amended by adding the following words:

"The preservation of his real estate" after the words in said section "and direct the sale of any of his real estate if necessary to the proper maintenance and education of the ward," and the word "support" between the words "proper" and "maintenance" in said quoted excerpt and by adding to said section the following words:

"Where the guardian is in doubt as to his right to use the principal of the personal estate for the ward's support, maintenance or education he may apply to the county or circuit court for leave to do so by filing a verified petition stating the reasons for the application. The court may grant the order ex parte and it shall be prima facie protection to the guardian in the settlement of his accounts. If the court is of the opinion that the guardian had no reasonable ground to doubt his right to use the principal of the ward's personal estate, or that he had no reasonable ground to believe such use was proper, the court shall give judgment for costs

against the guardian personally and order that same be not allowed as a credit in the settlement of his accounts."

So that said Section 2039 as amended shall read as follows:

"The several courts of chancery shall have power to hear and determine all matters between guardian and ward, require settlements of guardianship accounts, remove a guardian for neglect or breach of trust, control the custody and tuition of the ward and the management and preservation of his estate, and direct the sale of any of his real estate, if necessary to the proper support, maintenance or education of the ward, the preservation of his real estate or for the payment of his debts. Where the guardian is in doubt as to his right to use the principal of the personal estate for the ward's support, maintenance or education he may apply to the county or circuit court for leave to do so by filing a verified petition stating the reasons for the application. The court may grant the order ex parte and it shall be prima facie protection to the guardian in the settlement of his accounts. If the court is of the opinion that the guardian had no reasonable ground to doubt his right to use the principal of the ward's personal estate, or that he had no reasonable ground to believe such use was proper, the court shall give judgment for costs against the guardian personally and order that same be not allowed as a credit in the settlement of his accounts."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were--

F. B. Adcock	Thomas Dunn	Harry J. Meyers
William B. Ardery	J. W. Edwards	M. F. Moore
W. O. Baxter	Garland Embry	L. B. Murphy
S. A. Blackburn	J. O. Evans	Caleb A. Page
T. L. Britton	Joseph B. Everhart	Curtis F. Park
John R. Buckman	Virgil Eversole	J. D. Patton
James A. Campbell	Kelly J. Francis	John H. Pickett
Lee Clark	John B. Furlong	John W. Preston
Bradley Combs	F. A. Gnau	Dorsey Ratliff
Elmer Cook	L. B. Hamilton	Denny P. Smith
W. W. Cooper	Rev. B. L. Hargrove	D. O. Stanley
Ben L. Cox	Robt. L. Horn	Frank L. Strange
H. G. Crabtree	R. L. Jackson	J. A. Thompson
G. Cunningham	Grover C. Johnson	Thomas H. Troxel
E. C. Dennington	J. R. Johnston	C. B. Truesdell
James R. Dorman	M. F. Jordan	J. D. Via
S. J. Douthitt	A. R. Kincheloe	L. M. Weathers
C. B. Dowling	James A. May	G. W. Wigginton
W. C. Dugan	Henry Meiman	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 356. An Act requiring the State Librarian to and directing him to furnish to the Law Library of the University of Louisville, Kentucky, two sets of the Acts of the General Assembly, two sets of the Journals of the House and Senate,

three sets of the Kentucky Reports beginning with Volume 78, and three sets of the advance sheets of the Kentucky Reports annually, free of cost to said University.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Librarian be and he is hereby required and directed to furnish to the Law Library of the University of Louisville, Kentucky, free of cost and as they are published, two copies of the Acts of the General Assembly, two copies of the Journals of the House and Senate, three copies of the Kentucky Reports, beginning with volume 78, and three sets of the Advance Sheets of the Kentucky Reports, said Librarian to furnish the said University with the new volumes of the Kentucky Reports and the Advance Sheets as they are published free of charge.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Bradley Combs	W. C. Dugan
W. O. Baxter	Elmer Cook	Thomas Dunn
S. A. Blackburn	W. W. Cooper	J. W. Edwards
D. C. Bradley	Ben L. Cox	J. O. Evans
T. L. Britton	H. G. Crabtree	Joseph B. Everhart
John R. Buckman	James R. Dorman	Kelly J. Francis
Dr. R. A. Byers	S. J. Douthitt	John B. Furlong
James A. Campbell	C. B. Dowling	F. A. Gnau

L. B. Hamilton	Caleb A. Page	Thomas H. Troxel
H. G. Handmaker	J. D. Patton	C. B. Truesdell
Grover C. Johnson	John H. Pickett	H. Speed Tye
J. Roy Johnson	John W. Preston	Dr. Vallandingham
M. F. Jordan	Dorsey Ratliff	J. D. Via
James A. May	Denny P. Smith	J. E. Walters
Harry J. Meyers	D. O. Stanley	L. M. Weathers
Clarence Miller	Frank L. Strange	G. W. Wiggington
L. B. Murphy	J. A. Thompson	Robert Williams

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There voted in the negative—

J. Watt Brown —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 722. An Act amending sections 4356sa-2 and 4356sa-3, Kentucky Statutes, Baldwin's 1928 Kentucky Statute Service, being sections 2 and 3, respectively, of Chapter 174 of the Acts of the General Assembly of 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That sections 4356sa-2 and 4356sa-3 Kentucky Statutes, Baldwin's 1928 Kentucky Statute Service, being sections 2 and 3, respectively, of Chapter 174 of the Acts of

the General Assembly of 1928, be amended so that said sections, as amended, shall read as follows:

Section 4356sa-2. The state highway commission hereby is authorized, out of state highway funds, to construct and maintain or join with any adjoining state, county or municipality thereof, or with any county or municipality of this Commonwealth, or with the United States government, or either or all of them, in the construction, reconstruction, and maintenance of bridges across or tunnels under any boundary line stream of this State (including the Ohio river) for the purpose of connecting any primary road of this State with a public road or street in an adjoining State, whenever, in the judgment of the commission, the construction of such bridge is deemed necessary or advisable. In constructing bridges across or tunnels under any such boundary line stream, as herein authorized, said highway commission may locate same at such point as in the judgment of the commission is deemed wise, provided that no such bridge or tunnel shall be located further than ten miles from terminus of the primary road intended to be reached by such bridge or tunnel, and the State highway commission in such cases is authorized to construct such roads as may be necessary to connect such bridge or tunnel with the primary road intended to be served thereby, and such connecting road when so constructed shall become and be a part of the primary system of State highways of this Commonweatlh, and shall be maintained as such.

Section 4356sa-3. The State highway commission is hereby authorized and empowered to make and enter into written contracts with the owner or owners of any bridge spanning any boundary line stream of this State (including the Ohio river) or the owner or owners of any tunnel under any such stream for the purchase or lease of such bridge or tunnel to connect any primary road of this State with a public road or street in an adjoining State, when the adjoining State or a subdivision thereof or county in this Commonwealth or

subdivision thereof, or the United States joins with said highway commission in the purchase or lease of such bridge or tunnel and jointly or severally contributes to the purchase price thereof, or the annual rental price thereof, an amount equal to or in excess of the amount which the State highway commission proposes to contribute or expend for the purchase or lease of such connecting bridge or tunnel, and when so purchased or leased said State Highway Commission shall enter into a contract with such adjoining State or subdivision thereof, or county of this Commonwealth or subdivision thereof, or the United States or either or all of them for the joint maintenance and upkeep of such bridge or tunnel so purchased or leased.

Said State Highway Commission may agree upon the purchase price and cost of said bridge or upon the terms of the lease, with the owner thereof, and with such other parties herein named or either or all of such other parties, and may further agree upon the proportion of the purchase price or annual rental to be contributed by said State Highway Commission and by such other adjoining State or subdivision thereof, county or counties within this Commonwealth or subdivision thereof, or the United States, or either or all of them, and when such contract or purchase or lease and the agreement apportioning the purchase price or annual rental of such bridge or tunnel between or among said State Highway Commission and such other parties is approved by the attorney general of this Commonwealth, a copy of said contract or purchase or lease and the agreements of apportionment shall be delivered by the State Highway Commission to the auditor of public accounts of this Commonwealth who shall draw his warrant on the treasurer of this Commonwealth at the time and for the amount provided in such purchase or lease contract and agreement of apportionment, which warrant shall specify that it is to be payable only out of the State highway road funds, and it shall be delivered to the seller or owner of such bridge or tunnel concurrently with the warrants or

vouchers for the amount or amounts contributed thereto for the purchase or lease thereof by such other adjoining State or subdivision thereof or county or counties in this Commonwealth or subdivision thereof, or the United States and all such contributing parties.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Martin Light
E. S. Allison	W. C. Dugan	James A. May
W. O. Baxter	Thomas Dunn	Henry Meiman
S. A. Blackburn	J. W. Edwards	Harry J. Meyers
L. C. Bradley	William A. Eimer	M. F. Moore
T. L. Britton	J. O. Evans	B. T. Morris
John Young Brown	Joseph B. Everhart	F. Tyler Munford
John R. Buckman	Kelly J. Francis	L. B. Murphy
Dr. R. A. Byers	John B. Furlong	M. L. Napier
James A. Campbell	F. A. Gnau	Caleb A. Page
Lee Clark	L. B. Hamilton	J. D. Patton
Bradley Combs	H. G. Handmaker	James I. Peters
Elmer Cook	Rev. B. L. Hargrove	John W. Preston
Leonard Cook	J. F. Harrison	Dorsey Ratliff
W. W. Cooper	Robt. L. Horn	Denny P. Smith
Ben L. Cox	R. L. Jackson	D. O. Stanley
H. G. Crabtree	Grover C. Johnson	Frank L. Strange
G. Cunningham	J. Roy Johnson	Thomas H. Troxel
William J. Curtis	Theron M. Johnson	C. B. Truesdell
Winn Davis	J. R. Johnston	Dr. Vallandingham
E. C. Dennington	M. F. Jordan	L. M. Weathers
James R. Dorman	John B. Klefot	G. W. Wigginton
S. J. Douthitt	Frank LeBus	—68

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Governor announcing that he returns to this House where it originated, without his signature and approval, a bill entitled:

H. B. 260. An Act authorozing and empowering the Kentucky State Park Commission to acquire property for State Park purposes by the exercise of the power of eminent domain, etc.

(For bill see House Journal of February 18.)

Together with his objections and veto to said bill and his reasons therefor.

The objections of the Governor and his reasons therefor are as follows, viz:

VETO MESSAGE

H. B. 260.

This Act is a companion of House Bill No. 302, which attempts to accept the Dupont offer to supply money with which to take over Cumberland Falls for Park purposes only and is subject to the same objections and is as invidious as the Cumberland Falls Act.

If this bill conferred upon the State Park Commission the powers of Eminent Domain only, it would not be so objectionable, but it confers other powers on the Park Commission

and upon other officers and agencies which are intended to operate with special reference to Cumberland Falls and lands thereabouts and has as its sole object the defeat of the development of water power for industrial purposes in Cumberland river in the region of Cumberland Falls. It partakes of the elements of special and local legislation which is forbidden by the Constitution.

For these reasons and those set out in Veto Message of House Bill 302, House Bill No. 260 is disapproved.

FLEM D. SAMPSON,
Governor, Commonwealth of Kentucky.

March 8, 1930

Mr. Dorman of the Rules Committee moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill the objections and veto of the Governor to the contrary notwithstanding and it was decided in the affirmative.

The yeas and nays being taken thereon in accordiance with the provisions of the Constitution, the objections and veto of the Governor to the contrary notwithstanding, were as follows, viz:

Those who voted in the affirmative were—

F. B. Adcock	S. A. Blackburn	John R. Buckman
E. S. Allison	D. C. Bradley	James A. Campbell
William B. Ardery	John Young Brown	Lee Clark
W. O. Baxter	J. Watt Brown	Elmer Cook

Leonard Cook	Ralph Gilbert	M. F. Moore
W. W. Cooper	F. A. Gnau	F. Tyler Munford
Ben L. Cox	L. B. Hamilton	L. B. Murphy
H. G. Crabtree	Rev. B. L. Hargrove	M. L. Napier
G. Cunningham	J. F. Harrison	Andrew W. Nichols
William J. Curtis	Robt. L. Horn	H. L. Nickell
Winn Davis	C. E. Houk	James I. Peters
E. C. Dennington	R. L. Jackson	Denny P. Smith
James R. Dorman	Grover C. Johnson	D. O. Stanley
S. J. Douthitt	Theron M. Johnson	Frank L. Strange
C. B. Dowling	M. F. Jordan	J. A. Thompson
Thomas Dunn	John B. Klefot	Dr. Vallandingham
J. W. Edwards	Frank LeBus	J. E. Walters
William A. Eimer	Martin Light	L. M. Weathers
J. O. Evans	B. K. Marshall, Jr.	G. W. Wigginton
Kelly J. Francis	James A. May	
John B. Furlong	Henry Meiman	—61

Those who voted in the negative were—

U. G. Anderson	H. R. Marquette	John W. Preston
T. L. Britton	Joseph Martin	W. E. Randall
Dr. R. A. Byers	Clarence Miller	Dorsey Ratliff
Bradley Combs	Russell O. Miller	E. J. Thomas
J. J. Davis	Caleb A. Page	Thomas H. Troxel
W. C. Dugan	Curtis F. Park	Robert Williams
Joseph B. Everhart	J. D. Patton	
J. Roy Johnson	John H. Pickett	—22

Mr. Dorman of Rules Committee moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 214. An Act providing for the practice of Barbering and Beauty Specialists, requiring the registration of Barbers and Apprentices, and Beauty Specialists, and the supervision of Barber Shops and Beautician Shops; defining the practice of Barbering, of Barbers and Beauty Specialists and Apprentices; exemptions under this Act; qualifications for the certificates of registration as registered Barbers, registered Apprentices, and registered Beauty Specialists; providing for the establishment of a minimum standard of professional education of Barbers, and Beauty Specialists; providing for application for examination, and examination preparatory to practice as registered Barbers, registered Apprentices, and registered Beauty Specialists; providing for the issuance of certificates of registration of Barbers, Apprentices, and Beauty Specialists; regulating the admission of Barbers to practice in this State who have practiced Barbering in another State or Country; providing for the present practitioners in this State; providing for the display of certificates of registration; providing for the renewal, and the restoration of certificates; providing for the hearing by Board of Barber and Beautician Examiners, of the refusal, renewal, or suspension of any certificate of registration; fees to be charged for the issuance of registration of certificates; certain acts prohibited, and the punishment therefor; providing for the establishment of a Board of Barber and Beautician Examiners, and their compensation; providing for the election of a President and a Secretary to said Board; the duties of said Board, granting to said Board the power to make rules and regulations for the administration of this Act; providing for the posting of the rules passed by the Board in Barber Shops, Barber and Beautician Schools, and Beauty Shops of this State; for the keeping of a record of the Board's proceedings; providing for the duties of the Board's Secretary; if any part of the Act held unconstitutional it shall not affect or impair the remaining provisions; naming this Act as the Kentucky Barber and Beautician Act.

With a Committee Amendment thereto.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Requirement of Registration.

(a) That after July 1, 1930, no person shall practice or attempt to practice barbering, or that of a Beauty Specialist, without a certificate of registration as a registered barber, or beauty expert issued pursuant to the provisions of the herein Act, by the Board of Barber and Beautician Examiners hereinafter established.

(b) After July 1, 1930, no person shall serve or attempt to serve as an apprentice under a registered barber or beauty expert without a certificate of registration as a registered apprentice issued by the Board,

(c) After July 1, 1930, it shall be unlawful to operate a Barber Shop, or Beauty Shop unless it is at all times under the direct supervision and management of a registered Barber or Beauty Specialist.

§ 2. Practice Defined.

Any one or combination of the following practices (when done upon the upper part of the human body for cosmetic purposes and not for the treatment of diseases or physical or mental ailments and when done for payment, either directly or indirectly, or without payment for the public generally) constitutes the practice of berbering:

(a) Shaving or trimming the beard or cutting the hair;

(b) Giving facial and scalp massages or treatments with oils, creams, lotions or other preparations either by hand or mechanical appliances;

(c) Singeing, shampooing or dyeing the hair or applying hair tonics;

(d) Applying cosmetic preparations, powders, oils, clays or lotions to scalp, face, neck or upper part of the body.

The practice of Beauty Specialist and Beautician shall include each above named section except section a.

§ 3. Practice of Apprentice.

No registered apprentice may independently practice barbering or practice as a beauty specialist, but he may as an apprentice, do any or all of the acts constituting the practice of barbering, and that of a beauty expert under the immediate supervision of a registered barber or beauty expert, and only one shall be employed in any licensed shop.

§ 4. Exemptions.

The following persons are exempt from the provisions of this Act, while in the proper discharge of their professional duties.

(a) Persons authorized by the law of this State to practice medicine and surgery.

(b) Commissioned medical or surgical officers of the United States Army, Navy or Marine Hospital Service.

(c) Registered nurses.

§ 5. Qualification for Certificate of Registration as Registered Barber and Registered Beauty Specialist.

A person who is qualified to receive a certificate of registration to practice barbering and beautician:

(a) Who is qualified under section 6 of this Act.

(b) Who is at least eighteen (18) years of age.

(c) Who is of good moral character and temperate habits;

(d) Who has practiced as a registered apprentice for eighteen months under the immediate supervision of a registered member of his profession; and

(e) Who has passed a saisfactory examination conducted by the Board to determine his fitness to practice barbering or beautician.

An applicant for a certificate of registration to practice as a registered barber or beauty specialist, who fails to pass a satisfactory examination conducted by the Board must continue to practice as an apprentice for an additional six (6)

months before he is entitled to take the examination for a registered barber or beauty specialist.

§ 6. Qualifications for Certificate of Registration as Registered Apprentice.

A person is qualified to receive a certificate of registration as a registered apprentice:

(a) Who is at least sixteen and one-half (16½) years of age;

(b) Who is of good moral character and temperate habits;

(c) Who has graduated from a standardized school of barbering or beautician; and

(d) Who has passed a satisfactory examination conducted by the Board to determine his fitness to practice as a registered apprentice.

An applicant for a certificate of registration to practice as an apprentice, who fails to pass a satisfactory examination is required to complete a further course of study of not less than five hundred (500) hours to be completed within three months of not more than eight (8) hours in any working day in a standardized school of barbering or beautician.

§ 7. Minimum Standard of Professional Education.

No school of barbering or beautician shall be approved by the board unless it is standardized and requires, as a prerequisite to graduation, a course of instruction of not less than seven hundred (700) hours to be completed in four months of not more than ten hours a day; such course of instruction to include the following subjects: Histology of the hair, skin, nails, muscles and nerves of the face and neck; elementary chemistry relating to sterilization and antiseptics; diseases of the skin, hair glands, and nails; massaging and manipulating the muscles of the upper body; hair cutting, shaving, arranging, dressing, coloring, bleaching and tinting the hair, and such other courses as scientific research and progress in the future may render desirable.

§ 8. Application for Examination.

Each applicant for examination shall:

(a) Make application to the Board on blank forms prepared and furnished by the Board, such application to contain proof of the particular qualifications of the applicant;

(b) Furnish to the Board two 3 inch x 5 inch signed photographs of the applicant, one to accompany the application and one to be returned to the applicant to be presented to the Board when the applicant appears for examination; and

(c) Pay to the Board the required fee.

§ 9. Examinations.

The Board shall conduct examinations of applicants for certificates of registration to practice as registered barbers, registered beauty specialists, and registered apprentices, not less than four (4) times each year at such time and places as the Board may determine.

The examination of applicants for certificates of registration as registered barbers, registered beauty specialists, and registered apprentices shall include both a practical demonstration and a written and oral test, and shall embrace the subjects usually taught in schools of Barbering and of Beautician approved by the Board.

§ 10. Issuance of the Certificate.

Whenever the provisions of the Act herein have been complied with, the Board shall issue a certificate of registration to the applicant.

§ 11. Persons Having Practiced Barbering or Beautician in Another State or Country.

A person who is at least eighteen (18) years old and of good moral character and temperate habits;

(a) Who has a license or certificate of registration as a practicing barber or beautician from another State or Country, which has substantially the same requirements for licensing or registering as required by this Act, or

(b) Who can prove by sworn affidavits that he has practiced as a barber or beauty specialist in another State or

Country for at least three (3) years immediately prior to making application in this State. .

Shall upon payment of the required fee, be issued a permit to practice as a journeyman barber or journeyman beauty expert only until he or she is called by the board for examination to determine his or her fitness to receive a certificate of registration. Should he or she fail to pass the examination, he or she will be allowed to practice as a journeyman of his or her profession until he or she is called by the Board for the next term of examinations. Should he or she fail at the third examination he or she must cease to practice his or her profession in this State.

(c) A person who is at least sixteen and one-half (16½) years of age;

(d) Who is of good moral character and temperate habits; and

(e) Has a certificate of registration as an apprentice in a State or Country which has substantially the same requirements as an apprentice as is approved by this Act,

Shall upon payment of the required fee, be issued a permit to work as an apprentice until called by the Board for examination to determine his or her fitness to receive a certificate of registration as an apprentice. Being able to pass the required examination he or she will be issued a certificate of registration as a registered apprentice and the time spent in such State or Country shlal be credited upon the period of apprenticeship required by this Act as a qualification to take the examination to determine his or her fitness to receive a certificate of registration as a registered barber or registered beauty specialist.

A person who has practiced as an apprentice in another State or Country which does not have substantially the same requirements for registration as an apprentice as required by this Act, and who has the qualifications as required by Section 6 of this Act, shall be credited with the time so spent as an apprentice in such other State or Country upon the period

of apprenticeship required by this Act as a qualification to take the examination to determine his or her fitness to receive a certificate of registration as a member of the barber or beautician profession.

§ 12. Present Practioners.

Any person, resident of this State, who either for one (1) year immediately preceding July 1, 1930, was continuously engaged in the practice of barbering or that of a beauty specialist at one or more established places of business in this State, or has, prior to July 1, 1930, graduated from a school of barbering or beautician, shall be granted a certificate of registration in his or her particular profession, with out examination, by making application to the Board on or before the 1st day of July, 1930, and paying the required fee of ($3.00) three dollars, and shall be given credit for time previously spent in such practice.

Any person who on and prior to July 1, 1930, was a student in a school of barbering or beautician is qualified upon graduation from such school, to take the examination for a certificate of registration to practice as an apprentice, without regard to whether such a school complied with the standards for approval specified in Section 7 of this Act.

§ 13. Display of Certificate.

Every holder of a certificate of registration shall display it in a conspicuous place adjacent to or near his or her work chair.

§ 14. Renewal and Restoration of Certificates.

Every registered barber or beauty specialist and every registered apprentice who continues in active practice or service, shall annually, on or before July of each year, renew his or her certificate of registration and pay the required fee.

Every certification of registration which has not been renewed during the month of July in any year, shall expire on the 1st day of July in that year.

A registered barber or beauty specialist or a registered apprentice whose certificate of registration has expired may

have his or her certificate restored immediately upon payment of the required restoration fee. Any registered barber or registered beauty specialist who retires from practice of his or her profession for not more than five (5) years, may renew his or her certificate of registration upon payment of the required registration fee.

§ 15. Refusal and Revocation of Certificate.

The Board may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes:

(a) Conviction of a felony shown by a certified copy of the court of conviction,

(b) Gross malpractice or gross incompetency,

(c) Continued practice by a person knowingly having an infectious or contagious disease,

(d) Habitual drunkenness or habitual addiction to morphine, cocaine or other habit-forming drugs,

(e) The commission of any of the offenses described in Section 18, subsections c, d and f, and the failure to enforce sanitary regulations prescribed for in Section 21 of this Act.

§ 16. Hearings by the Board.

The Board may neither refuse to issue, nor refuse to renew nor suspend, nor revoke any certificate of registration, however, for any of these causes unless the person accused has been given at least twenty (20) days notice in writing of the charge against him and a public hearing of the Board.

Upon the hearing of any such proceeding, the Board may administer oaths and may procure by its subpoenas, the attendance of witnesses and the production of relevant books and papers.

Any circuit court or any judge of the circuit court, either in term or vacation, upon application either of the accused or the Board, may, by order duly entered, require the attendance of witnesses and the production of relevant books and papers before the Board in any hearing relating to the refusal, suspension or revocation of certificates of registration.

§ 17. Fees.

The fee to be paid by an applicant for an examination to determine his fitness to receive a certificate of registration to practice Barbering or to practice as a Beauty Specialist is ten dollars ($10.00), and for the issuance of the certificate, five dollars ($5.00).

The fee to be charged an applicant for an examination to determine his fitness to receive a certificate of registration to practice as an apprentice is five dollars ($5.00), and for the issuance of the certificate one dollar ($1.00).

The fee to be paid for the renewal of a certificate of registration to practice Barbering or Beautician is three dollars ($3.00), and for the restoration of an expired certificate five dollars ($5.00), and,

The fee to be charged for the renewal of a certificate of registration to practice as an apprentice five dollars ($5.00), and for the restoration of an expired certificate, five dollars ($5.00).

§ 18. Certain Acts Prohibited.

Each of the following constitutes an offense under this Act punishable, upon conviction, by a fine of not less than twenty-five dollars ($25.00), nor more than two hundred dollars ($200.00).

(a) The violation of any of the provisions of Section 1 of this Act.

(b) Permitting any person in one's employ, supervision or control, to practice as an apprentice unless that person has a certificate of registration as a registered apprentice.

(c) Obtaining or attempting to obtain a certificate of registration for money other than the required fee, or any other thing of value, or by fraudulent representations.

(d) Practicing or attempting to practice by fraudulent representations.

(e) The wilful failure to display a certificate of registration as required by Section 13, and,

(f) The use of any room or place for barbering or beautician which is also used for residential or business purposes (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery and such commodities as are used and sold in barber shops, and beauty parlors) unless a substantial partition or ceiling separates the portion used for residential or business purposes.

§ 19. Board Estabished.

A Board to be known as the Board of Barber and Beautician Examiners is established, to consist of four members appointed by the Governor: One (1) member shall be a Union Master Barber, one (1) Non-Union Master Barber, one (1) Union Journeyman Barber, and one (1) Beautician. Each member must be a resident of the Commonwealth of Kentucky five (5) years just prior to his or her appointment, and three (3) of which shall be practical barbers, and one (1) a practical beauty specialist.

Two members of the first board shall serve for two (2) years from the time of his or her appointment and qualification, and two (2) members shall serve for four (4) years. At the expiration of the term of office of the two members appointed for two (2) years their successors shall be appointed for a term of four (4) years thereafter. At the expiration of the two (2) members whose terms of office expire in four (4) years, their successors shall be appointed for a term of four (4) years thereafter.

Members appointed to fill vacancies caused by death, resignation or removal shall serve during the unexpired term of their predecessors.

§ 20. Officers, Compensation, etc.:

The Board shall elect a President and Secretary. The Board shall be furnished with suitable quarters in the State House at Frankfort, Kentucky, or esewhere. It shall adopt and use a common seal for the authentication of its orders and records.

The Secretary shall keep a record of all proceedings of the Board and shall turn over to the Treasurer of the State all moneys collected, at least once a month.

The Secretary of the Board shall give to the State a bond in the sum of ten thousand dollars ($10,000) with sufficient securities, to be approved by the Governor, for the faithful performance of his duties. A majority of the Board, in meetings duly assembled may perform and exercise all the duties and powers devolving upon the Board.

The Secretary of the Board shall receive a salary not to exceed the sum of three thousand dollars ($3,000.00) per annum, and shall be reimbursed for his or her necessary traveling expenses incurred in the discharge of his duty, and the other members of the Board each shall receive a compensation of ten dollars ($10.00) a day for each day the said Board is in meeting, and shall be reimbursed for necessary traveling expenses to be paid only from the fund created by the fees collected in the administration of this Act. The Board shall report annually to the Governor a full statement of its work during the year, together with such recommendations as it may deem expedient.

The Board shall have authority to employ such inspectors, clerks and assistants as it may deem necessary to carry out the provisions of this Act, provided only such expenditures not to be in excess of receipts from fees collected pursuant to this Act, and further provided that if said expenditures exceed the income that said Board shall be personally liable for said excess, and further provided if the income from the fees collected is not sufficient to pay the salaries of the examiners, then said salaries shall be proportionately reduced until they fall within the amount raised by fees collected pursuant to this Act, and provided that no inspector, clerk, or other hired help of the Board shall be paid a salary to exceed fifteen hundred dollars ($1,500.00) per year.

The Board shall meet four times a year at the same time and place as set out in Section 9 of this Act, for the giving of

examinations, and such other business as may come before the Board shall be transacted at that time.

§ 21. Rules, Inspection, Records.

The Board shall have authority to make reasonable rules and regulations for the administration of this Act, and prescribe sanitary requirements for barber shops, and beauty shops, and barber and beautician schools.

Any member of the Board, or its agents or assistants, shall have authority to enter upon and to inspect any barber shop or beauty parlor, or barber school, or beautician school, at any time during business hours. A copy of the rules and regulations adopted by the Board shall be furnished by the Board to the owner or manager of said shops and schools, and such copy shall be posted in a conspicuous place in such barber shop or beauty parlor, and said schools.

The Board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration. This record shall also contain the name, place of business and residence of each registered barber and registered apprentice, and each registered beauty specialist and registered apprentice, and the date and number of his certificate of registration. This record shall be open to public inspection at all reasonable times.

§ 22. Partial Unconstitutionality.

If any portion of this Act is declared unconstitutional it shall not affect the validity of the remainder of the Act which can be given effect without the invalid portion.

§ 23. Name of Act.

This Act may be cited as the Kentucky Barber and Beautician Act. Provided, however, that the provisions of this Act shall only apply to cities of the first, second, third and fourth classes.

Said Amendment as offered by the Committee is as follows, viz.:

Amend S. B. 214 by striking out from the title all of the wording on page 2, beginning with "providing for the establishment of a Board of Barber, Beautician Examiners" and striking out from the Act Section 19, entitled "Board Established" and striking out all of section 20, entitled "Officers, Compensation, etc.," and substituting in the title and where else it may appear in the act, the words "Board of Barber and Beautician Examiners" and substituting therefor the words "The State Board of Health." Wherever the Board appears in the title of act, this shall be understood to refer to the State Board of Health. In lieu of Section 19, herein stricken out, add the following words: "Section 19. The State Board of Health shall appoint an assistant examining board, to be composed of one Union Master Barber, one non-union Master Barber, and one Union Journeyman Barber and one Beautician, to assist the State Board of Health in holding examinations and carrying out the provisions of this Act. All fees collected under this Act shall be used by the State Board of Health for the enforcement of the provisions of same."

Mr. Thomas moved that said bill be recommitted.

Said motion was disagreed to.

Mr. Francis offered the following Amendment to said bill, viz.:

Amend S. B. 214 by adding to Sec. 23 the following words: "The terms, provisions and conditions of this act shall apply only to counties containing cities of the first, second, third, fourth, fifth and sixth classes."

Said Amendment was agreed to.

Mr. Gnau moved the previous question.

Thereupon the Speaker announced: "Shall the main question be now put?"

Which was decided in the affirmative.

Mr. Nichols offered the following Amendment to said bill, viz.:

Amend S. B. 214 by striking out in Section 12, page 7, line 3, the word "continuously."

Said Amendment was agreed to.

Mr. Thomas offered the following Amendment to said bill, viz.:

Amend S. B. 214 by omitting the words State Board of Health and adding the words "Governor, Lieutenant Governor and Attorney General", wherever same appear.

Said Amendment was disagreed to.

Mr. Page moved that said bill be laid on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 57. An Act creating a Forestry Department, composed of the Commissioner of Agriculture, Labor and Statistics and the State Forester, for the purpose of establishing forestry reserves, acquiring lands by purchase, lease, escheat, donation, and from delinquent tax sales; for reforestation and propagation of fish, game and other wild animals; to make rules and regulations; to control and manage

forest reserves; to rent or lease any portion of the lands so acquired for cultivation or grazing; to sell or exchange any lands owned by it, and make such contracts and deeds of conveyance necessary to pass title to such lands sold or exchanged; to sell merchantable timber grown on the lands under its control; to cooperate with any department of the state or national government in propagating fish and game and the protection of same; to control and supervise said lands, and eject therefrom all trespassers as by law provided; providing that no person, firm or corporation shall acquire title to any of the property under its control by adverse possession; providing a penalty for interference with the control of the Department or destruction or injury of any property under its control or belonging to it; authorizing the Department to bring suits at law when necessary in order to enable it to perform its duties, and to have the assistance of the county attorney in the counties where the forest reserves are located, and the commonwealth's attorneys in the circuit court judicial districts where the forest reserves are located, and the advice, assistance and cooperation of the Attorney General when necessary; providing for the repeal of Chapter 9 of the Acts of the General Assembly of Kentucky passed in the year 1926, and entitled, "An Act Providing For The Establishment and Maintenance of Forest and Game Reserves," and repealing all other acts or laws in conflict with this Act; providing for penalty for violations of this Act; providing that if any portion of this Act should be declared unconstitutional it should not affect any other section or part of the Act; and providing for an emergency clause.

§ 1. That the Commissioner of Agriculture, Labor and Statistics and the State Forester are hereby vested with authority and charge of the duties to establish and maintain forest reserves, and said two officers shall constitute what is known as the Forestry Department of the State of Kentucky. They shall have power to receive by donation, purchase or

lease lands for forestry purposes for the use of the Commonwealth, and they are hereby invested with the power to convey, exchange or lease lands or sell timber or other products owned by the Forestry Department. That they shall have supervision and control of all property, the title to which is invested in them or leased by them for the use and benefit of the State of Kentucky.

§ 2. The Forestry Department is hereby authorized to establish forestry reserves in such places as in its judgment the land is suitable for the growth of forest timber trees and suitable for the propagation of wild animal life. Said Department is hereby invested with the authority to lease lands suitable for the purpose of growing timber and adapted to the propagation of game and wild animals; such leases not to be for a term of years less than twenty, nor exceeding one hundred, and the rental shall not be in excess of a sum equal to the amount of state, county and school taxes thereon, said rentals to be paid not later than the thirty-first day of December in each year, out of funds accruing to the Forestry Department as provided in this Act, or designated by subsequent Acts for the specific purposes as set out in this Act. All taxes are to be paid by the owners of the property prior to or at the time the rentals are to be paid by the Forestry Department. No land shall be purchased, received as a donation, or leased, the title to which is not merchantable, and the Department shall not acquire title to any real estate by purchase, gift, donation or lease without the title to same has been approved by the Attorney General.

§ 3. In the event land is leased for the purposes provided for in this Act, and merchantable timber is taken therefrom, one-half of the stumpage value of said timber shall be paid in to the State Treasury and credited to this Department, and the other half shall be paid to the lessor or his assigns. The sale of timber grown upon leased lands shall be made only by consent of all parties interested in the same, unless the consent of all parties cannot be obtained, and then

the Department may, by a suit in equity, to which suit all persons interested shall be made parties as now provided by law, and an order obtained directing the Department to sell such merchantable timber on any leased lands of which the owners will not agree with the Department to sell.

§ 4. All real estate acquired by the Commonwealth, wherever located, by reason of escheat, delinquent tax sales and foreclosures in favor of the Commonwealth, shall be transferred to and become the property of the Forestry Department, and said Department is authorized to use such real estate so transferred to it as in its judgment will be suitable for the purpose of growing timber thereon, and such lands which may be transferred to it, as provided herein, not deemed suitable for the purpose of growing timber thereon, may be sold by said Department, and the proceeds covered into the State Treasury, to be credited to this Department. The Department, before making the sale of any real estate, shall advertise the land for sale in the county in which it is located, in at least one issue for three consecutive weeks in a paper published within said county, or if no paper is published in the county, then by one notice posted at the court house door and four other notices posted in the vicinity of the property to be sold not less than fifteen days in advance of the sale of said real estate, and to contain a statement of the time and terms upon which said real estate is to be sold. Said land shall be sold at public outcry; terms one-third cash and the remainder in two equal annual payments, represented by bonds with approved security and lien retained in them upon the property to further secure the payment of the unpaid purchase money, said bonds to be made payable to the Forestry Department, and to bear six (6) per cent. interest from date of sale until paid; the proceeds so acquired to be covered into the State Treasury to be credited to the Forestry Department.

§ 5. The Department may, in its discretion, lease or rent such portions of the lands owned by it to responsible

persons, for cultivation and grazing, but in no event shall it lease or rent any of such lands, the use of which would be detrimental to the growth of timber or destruction of game or wild life; the proceeds resulting from the leasing or rental of any of said lands to be covered into the State Treasury and credited to this Department.

§ 6. The Department, with the consent of the owner of any lands it has leased, may sub-lease or rent any of such leased lands as will not interfere with the growth of timber or the propagation and growth of game and wild animal life. If such lands are sub-leased or rented under these conditions, the Department and the owner thereof will divide the proceeds arising from the use or cultivation of said lands, on a fifty-fifty basis, the Department's one-half to be covered into the State Treasury and credited to this Department.

§ 7. The Forestry Department is hereby invested with complete custody and control of property of every kind belonging to it for the use of the Commonwealth, and it is hereby authorized to eject all trespassers, as is provided by law, from the land or other property under its control, and no person, firm or corporation shall acquire title to any of the property under its control by adverse possession.

§ 8. The Department is hereby invested with the power in its discretion to post any and all of the forest reserves, and to cooperate with any department of the state or national government for the purpose of propagating fish and game, and the protection of same.

§ 9. When any kind of action is instituted in behalf of said Department, it shall be the duty of the county and commonwealth's attorney to represent it in the county in which the action is brought, and the Attorney General shall have supervisory authority over all actions instituted for or against said Department, wherever brought, and it shall be his duty to represent it in any actions in the Court of Appeals and to advise it concerning any legal matters pertaining to the performance of its duties.

§ 10. Any person who wilfully or negligently injures any of the property under its control, in any way or manner whatever, or interfers with the Department in the management, control and supervision of such property, shall be fined in any sum not less than one hundred ($100.00) dollars, or confined in jail for not less than thirty (30) days nor more than one hundred (100) days, or both so fined and imprisened, in the discretion of the court or jury trying the case.

§ 11. Chapter 9 of the Acts of the General Assembly of Kentucky passed in the year 1926, entitled "An Act Providing for the Establishment and Maintenance of Forest and Game Reserves," be and the same is hereby repealed, and all other acts or laws in conflict with this Act are hereby re-repealed.

§ 12. Should the courts decree any section or provision of this Act unconstitutional, such decision shall not affect the other sections or portions of this Act. It is the legislative intent that any sections or portions of this Act which may not be declared unconstitutional shall be operative.

With a Committee Amendment thereto.

Said Amendment as offered by the Committee is as follows, viz.:

Amend S. B. 57 by adding these words: "Be It Enacted by the General Assembly of the Commonwealth of Kentucky," the same be placed after the caption of the bill and before Section 1.

Said Amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Thomas Dunn	Russell O. Miller
E. S. Allison	J. W. Edwards	M. F. Moore
U. G. Anderson	William A. Eimer	B. T. Morris
William B. Ardery	J. O. Evans	F. Tyler Munford
W. O. Baxter	Joseph B. Everhart	M. L. Napier
D. C. Bradley	Kelly J. Francis	H. L. Nickell
T. L. Britton	John B. Furlong	Fred A. Nolte
John R. Buckman	Ralph Gilbert	Curtis F. Park
James A. Campbell	F. A. Gnau	J. D. Patton
Lee Clark	H. G. Handmaker	James I. Peters
Bradley Combs	Rev. B. L. Hargrove	John H. Pickett
Elmer Cook	Robt. L. Horn	John W. Preston
Leonard Cook	C. E. Houk	W. E. Randall
W. W. Cooper	R. L. Jackson	Dorsey Ratliff
Ben L. Cox	Grover C. Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Frank L. Strange
G. Cunningham	M. F. Jordan	E. J. Thomas
William J. Curtis	Frank LeBus	C. B. Truesdell
J. J. Davis	Martin Light	Dr. Vallandingham
Winn Davis	H. R. Marquette	J. D. Via
E. C. Dennington	Joseph Martin	J. E. Walters
James R. Dorman	James A. May	G. W. Wigginton
S. J. Douthitt	Henry Meiman	Robert Williams
C. B. Dowling	Harry J. Meyers	
W. C. Dugan	Clarence Miller	—73

Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Rules Committee moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 149. An Act regulating the introduction of evidence in prosecutions for carnally knowing a female between the ages of sixteen and eighteen years and amending and re-enacting section 1155 Carroll's Kentucky Statutes, 1922 Edition, as amended March 20, 1922, Chap. 17, Page 65.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1155, Carroll's 1922 Kentucky Statutes, as amended March 20th, 1922, Chapter 17, Page 65, be, and the same is hereby amended and re-enacted, so that said section when so amended and re-enacted shall read as follows:

Section 1155. Every male person who shall carnally know, with her consent, any female child, not his wife, under the age of eighteen years, and every female person who shall carnally know any male child under the age of eighteen years, not her husband, shall be punished as follows:

(1) When such child is under the age of twelve years, by imprisonment in the State Penitentiary for not less than twenty years nor more than fifty years, or by death, in the discretion of the jury.

(2) When such child is of the age of twelve years and under the age of sixteen years, by imprisonment in the State Penitentiary for not less than five years nor more than twenty years.

(3) When such child is of the age of sixteen years and under the age of eighteen years, by imprisonment in the State Penitentiary for not less than two years nor more than ten years.

Provided, however, that in all prosecutions for carnally knowing a female between the ages of sixteen and eighteen years, it shall be permissible to introduce evidence of any previous acts of sexual immorality committed by said female, and her general reputation for sexual immorality may be proven, and where it is shown by the evidence beyond a reasonable doubt that prosecutrix is sexually immoral or of such reputation, then the defendant shall only be guilty of a misdemeanor and, upon conviction, shall be fined not more than $500.

(4) Any female under the age of eighteen years and any male under the age of seventeen years, charged with a violation of any of the provisions of this Act, shall be dealt with and proceeded against as are other juvenile delinquents, under the provisions of Section 331e, Kentucky Statutes.

(5) Any male person of the age of seventeen years and under twenty-one years and any female person of the age of eighteen and under the age of twenty-one convicted of a violation of any of the provisions of this Act shall be punished by a fine not exceeding five hundred dollars and not as provided in sub-sections one, two, three and four of this Act.

(6) When any complaining witness is over the age of sixteen years and the defendant being under the age of twenty-one years, the court or jury is authorized to hear testimony in aggravation or mitigation of said charge.

(7) Any female under the age of eighteen years and any male under the age of seventeen years, charged with violation of any of the provisions of this Act, may be dealt with and proceeded against as are other juvenile delinquents under the provisions of section three hundred and thirty-one-c, Kentucky Statutes. This Act shall in no way affect sections one thousand one hundred fifty-two, one thousand one hundred fifty-four, one thousand one hundred fifty-eight or one thousand two hundred fourteen of Kentucky Statutes.

Mr. Gilbert offered the following Amendment to said bill, viz:

Amend S. B. 149 by inserting after the word "years" in line 20, the following: "where the defendant is under 21 years of age."

Said Amendment was agreed to.

Mr. Dennington moved that said bill be tabled.

Said last named motion was disagreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows:

Those who voted in the affirmative were—

E. S. Allison	James R. Dorman	R. L. Jackson
U. G. Anderson	S. J. Douthitt	J. R. Johnston
S. A. Blackburn	W. C. Dugan	M. F. Jordan
John Young Brown	Thomas Dunn	A. R. Kincheloe
Dr. R. A. Byers	J. W. Edwards	John B. Klefot
James A. Campbell	William A. Eimer	H. R. Marquette
Bradley Combs	J. O. Evans	B. K. Marshall, Jr.
Leonard Cook	Joseph B. Everhart	Joseph Martin
Ben L. Cox	Virgil Eversole	Geo. R McIntosh
William J. Curtis	Kelly J. Francis	Harry J. Meyers
J. J. Davis	Ralph Gilbert	Clarence Miller
Winn Davis	F. A. Gnau	M. F. Moore

B. T. Morris	W. E. Randall	C. B. Truesdell
F. Tyler Munford	Denny P. Smith	H. Speed Tye
Fred A. Nolte	D. O. Stanley	J. D. Via
Curtis F. Park	Frank L. Strange	J. E. Walters
James I. Peters	H. L. Taylor	L. M. Weathers
John H. Pickett	E. J. Thomas	G. W. Wigginton
John W. Preston	Thomas H. Troxel	Robert Williams

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Those who voted in the negative were—

D. C. Bradley	John B. Furlong	James A. May
T. L. Britton	L. B. Hamilton	Russell O. Miller
J. Watt Brown	H. G. Handmaker	M. L. Napier
John R. Buckman	Rev. B. L. Hargrove	Andrew W. Nichols
Lee Clark	Robt. L. Horn	H. L. Nickell
Elmer Cook	Grover C. Johnson	J. D. Patton
W. W. Cooper	J. Roy Johnson	Dorsey Ratliff
H. G. Crabtree	Theron M. Johnson	J. A. Thompson
E. C. Dennington	Martin Light	Dr. Vallandingham
C. B. Dowling	Fred V. Lucas	

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 326. An Act to enable cities of the first class to construct a public hospital or hospitals or to construct a home or homes for the aged, etc.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. At any time or times when the legislative body of any city of the first class shall desire to construct a new hospital or hospitals or to construct a new home or homes for the aged and infirm or shall desire to reconstruct, improve, alter, extend or repair any existing hospital or home for the aged and infirm, and to equip and furnish same, it may do so under the provisions of this Act.

§ 2. If at such time or times there shall be no Building Commisson, as contemplated in this Act, existing in any City of the first class, the legislative body of said City may, by ordinance, request the Mayor to appoint building commissioners under this Act and by said ordinance shall define in general terms the work proposed to be performed or executed by such Building Commission and shall make an appropriation for the necessary expenses of such Commission, and if the Mayor shall approve such ordinance, he shall thereupon make such appointments.

§ 3. The Building Commission shall consist of five (5) members, four of whom shall be appointive, and the fifth member shall be the Mayor of the City ex-officio.

The appointive members shall have the following qualifications: Each appointee shall be at least twenty-five (25) years of age and reside within the City or County in which such City is located, and be the owner in his own right of real estate or a householder. No officer or employee of said City, whether holding a paid or unpaid office, shall be eligible for appointment to the said Commission. Such appointees shall be subject to the approval of the legislative body of said City. The term of office shall be four years and until their successors are appointed and qualified. Any Commission may be continued by appointments made in the same manner as the original appointment. If the work upon which a Commis-

sion is engaged is completed and no further work is contemplated within a definite time, or if the money provided for the use of said Commission by an appropriation or bond issue, as hereinafter provided, be expended, the Director of Works shall notify the Mayor and legislative body of the City of the completion of said work or of the expenditure of the funds provided for said Commission, and the Mayor and legislative body of said City shall forthwith decide whether said Commission shall be dissolved or shall be continued, and if continued, said legislative body of said City shall, by ordinance, approved by the Mayor, fix the limit of expenditures of said Commission and shall pay same out of such funds of such City as they shall deem best until such time as a new appropriation for work shall be made or a new bond issue shall be passed to provide further funds for said Commission, or until such time as the Mayor and legislative body of said City shall decide that it is best to dissolve and discontinue said Commission. Upon the dissolution of said Commission the ex-officio member of said Commission shall take charge of all the office furniture, fixtures, machinery, tools, instruments, maps, plans, books, and papers and shall preserve same, and upon the appointment of another Commission under this Act the same shall be turned over to said Commission and so on with each subsequent Commission, provided, however, that the legislative body of said City may, by ordinance, provide for the sale or other disposition of the office furniture, fixtures, tools, instruments and machinery. If said commission shall be continued, as hereinabove provided, upon the passage of a new appropriaton or upon the voting as hereinafter provided of a new bond issue the expenses of the Commission shall be paid out of the proceeds thereof.

§ 4. The persons appointed as members of said Commission shall constitute a body corporate under the name of Commissioners of Charitable Buildings of such City, and shall have capacity to contract and be contracted with, to sue and be sued in that name and to adopt a seal and alter same at

pleasure. If any Commission appointed under this Act should be dissolved, the corporation shall be continued in the ex-officio member thereof but shall have no power to do any act or thing until such time as four appointive members are appointed, as heren provided, when the same shall then have all the original functions and powers of said corporation.

§ 5. Each Commission shall elect a chairman from the appointed members, and a secretary and treasurer not a member of the Commission, who shall hold the combined offices at the pleasure of a majority of the Commission and receive a salary to be fixed by the Commission. It may also elect, a Superintendent of Construction, who shall not be a member of the Commission. This officer must be a draughtsman experienced in and familiar with fire proof construction, and the erection of large buildings and their mechanical equipment and experienced in reading and executing architect plans and specifications. He shall give his entire attention to the affairs of the Commission and shall receive a salary to be fixed by the Commission and shall be removable at the pleasure of the Commission. The Commission shall have the power to employ one or more architects to submit plans for the construction and furnishing, together or separately, and to attend the carrying out of same, and shall pay a reasonable compensation therefor and may appoint or employ such other professional or technical advisers or experts and such agents, assistants, clerks, employees and laborers, skilled or unskilled, of all kinds, as it may deem requisite for the due and proper execution of the duties devolved upon it by this Act, and may fix their respective compensations and may remove or discharge them at pleasure and may exact from any of its officers or employees such indemnity bonds for the proper performance of their respective duties, as it may deem proper. If indemnity bonds are required from the Chairman, Secretary and Treasurer or Superintendent of Construction, the premium on such bonds may be paid for by the Commission and they may pay the premium on the bond of any other

officer or employee, if, in the discretion of the Commission, it is best for them so to do.

§ 6. It shall be the duty of the Commission to make such careful examination of the methods of constructing, equipping and furnishing such buildings or improvements as are set forth in said ordinance as may enable it to determine the best plan of erecting and furnishing such building or buildings, or of making such improvements that would fully answer the needs of the City, taking into consideration its probable growth, including the necessary buildings or improvements and their ventilation, heating, lighting and furnishing.

When the Commission shall have determined upon a general plan for the construction and furnishing of such buildings or of the improvements which, in its judgment, is the most expedient to be determined upon, it shall report the same, as well as such other proposed plans as it may deem expedient, to the Mayor, giving a description of the general plan for the construction and furnishing of the buildings or improvements designed and the probable cost of carrying out each plan. The Mayor shall lay this report before the legislative body of the City and the plan recommended by the Commission shall be adopted and carried out by the Commission, unless the plan recommended by the Commission shall, within thirty (30) days after it has been received by the legislative body, be rejected and disapproved by a two-thirds vote of said body. If said plan as recommended by the Commission be so rejected by the legislative body, then at any time within thirty (30) days thereafter one or the other of the alternative plans presented as aforesaid to the legislative body may be considered by it and of these plans the one shall finally be adopted which shall be approved by a two-thirds vote of the legisative body, and if none of the plans so submitted receives the necessary two-thirds vote within thirty (30) days after the one recommended by the Commission has been rejected as aforesaid, then said Commission, with the

approval of the Mayor, shall have the right to choose a plan and carry it out. The legislative body shall have no power to vary any plan proposed and presented by the Commission but in adopting one of those reported, must adopt it in its entirety.

§ 7. Said Commission shall have full power and authority to carry out the purposes of this Act, among which powers shall be the following; that is to say:

(a) To make all such preliminary investigations and to do all such preliminary work as should, in its judgment, precede the actual construction of said building or improvement.

(b) To determine upon a proper site for such building or improvement. Provided, however, that where at the time such City owns a public building, that site as it exists or as enlarged by the acquisition of such adjacent property as may be recommended by the Commission may be used unless the Commission shall determine that it is unsuitable for the purpose and shall recommend to the Mayor the acquisition of another site. In the event of such recommendation, the Mayor shall lay the matter before the legislative body, who shall approve or disapprove the recommendation of the Commission as to such change of site and only upon the approval of such change by resolution duly adopted by the legislative board and approved by the Mayor, shall such new site be adopted. In the event the existing building on the old site is to be abandoned, then such old site may be sold and if sold, the proceeds of the sale shall go to the payment for the new site.

(c) To provide accommodations for patients or inmates of the existing public building while the new building is in course of erection and furnishing. Provided, however, that the legislative body may, out of its levy for the Department having supervision of such buildings, assume the whole or part of the expense of providing such temporary accommodations, to the relief of the funds of the Commission.

(d) To establish and enforce such reasonable rules and regulations for its own government and for the supervision, protection, management and conduct of its work and the payment therefor as it may deem expedient.

(e) To make and enter into, in its name, any and all contracts, agreements or stipulations germane to the scope of its duties or powers under this Act.

(f) To purchase, hire, or otherwise obtain the use of all such lands, buildings, machinery, tools, implements, supplies, appliances, materials and working agencies as it may need for its purposes.

(g) To acquire by gift, purchase or lease, or by condemnation, any land or property situated within the City or County where such City is located or any interest, franchise, easement, right or privilege therein as may be required for the purpose of said building or improvement, and the furnishing, maintaining and operating of same. The method of condemnation shall be the same as that provided for the condemnation for appropriate municipal purposes by cities of the first class.

(h) The enumeration of special powers in the subdivisions of this Section shall not be construed as restricting in any degree, the scope of the general powers hereinbefore conferred upon the Commission.

§ 8. All work done or supplies or materials purchased in carrying out the purposes of this Act, when involving an expenditure of five hundred dollars or more, shall be by contract awarded to the lowest and best bidder. All bids or parts of bids, for any such work or supplies, may be rejected by said Commission. Any Commission may, however, with the consent of four of the members, itself do any part or parts of its work under such conditions as it may prescribe by day labor when the Superintendent of Construction, in writing, shall recommend the course.

§ 9. In order to provide money for the building and improvements directed by the ordinance, the legislative body

of such City, may, at any time or times, and as often as it may deem necessary, adopt an ordinance submitting to the voters of the City at any regular election held in such City the question whether bonds of the City shall be issued for the purpose of carrying out the work herein mentioned. The ordinance shall provide the number, date and maturity of such bonds, the rate of interest they shall bear and the total amount to be then issued and the ordinance shall also contain the necessary details in reference to the execution and delivery of such bonds, their denominations, coupons to be annexed, tax to be levied to pay the interest and a sinking fund to retire such bonds at maturity.

§ 10. If the voters of the city shall determine that such bonds shall be issued, they shall, when so issued, be placed under the control of said Commission, who shall determine when and at what price and how they shall be sold. Provided, that no bonds shall be sold for less than par; and provided, further, that any premiums and accrued interest which may be obtained from said bonds shall constitute a part of the sinking fund for their ultimate retirement. As the said bonds are sold their proceeds shall go to the credit of the Commission, in the same depositaries which are selected for the deposit of the funds of the sinking fund commissioners of the City, and upon the same agreement as to interest, and shall be withdrawn only upon the checks of the Secretary and Treasurer of the Commission, countersigned by the Chairman, accompanying a voucher approved by the Superintendent of Construction or such other employee as may be designated by the Commissioner for that purpose.

§ 11. All disbursements of any Commission, including compensation to its members or officers, engineers, agents and others employed by it shall come out of the proceeds of the sale of the said bonds except as herein otherwise provided.

§ 12. If any Commission shall be dissolved, as herein provided, all debts of said Commission shall be first paid and if any money shall remain in its hands from the proceeds of

bond sales, same shall be paid to the Commissioners of the sinking fund of such City, to be used by them as a sinking fund for the bonds from the sale of which said money was derived. If any issue of bonds is voted on and not carried, the legislative body of said City may pass as many ordinances and submit to a vote the question of issuing bonds at as many other regular elections held in the City as it may see fit, and if any issue of bonds is voted on favorably and the money is about to be fully expended or in the opinion of the legislative body, will be expended, either before or within such time after an election that the work of the Commission may be suspended from lack of funds, the legislative body of said City may pass as many ordinances and submit to a vote the question of issuing bonds at as many other regular elections held in the City as it may see fit.

If at the time any new issue of bonds is authorized a Commission exists under this Act, it and its successors shall continue any work provided for in this Act and such existing Commission shall be the Building Commission of said City, as provided under this Act and shall have all the rights granted hereunder to any Commission, and all of its property, real, personal, and mixed, of every kind shall be vested in it as a corporation under this Act and such corporation shall be a continuance of the corporation then existing under any former Act of the General Assembly theretofore passed.

§ 13. If no Commission exists at the time any bond issue is authorized hereunder, then a new Commission may be appointed and the provisions of this Act shall apply to each new issue of bonds and to each new Commission and the continuance of the work of the Commission and to the carrying out of the work of this Act, the same as in the first instance.

§ 14. The legislative body of said City, instead of an issue of bonds or in addition to an issue of bonds, may make any appropriation out of any funds available for that purpose to the Building Commission, to be expended under this Act.

§ 15. When, in the opinion of the Commission, any building or improvement has been completed and ready for active use, or any distinct portion thereof, the Commission shall then notify such Department of the City, as the building of that character may be in charge of, and shall turn over such completed building or portion to such Department, and the same shall thereafter be under the exclusive control of said Department, as now provided by law for such institution.

§ 16. The word "building" as used in this Act means any new hospital or any new home for the aged and infirm and the equipment and furnishing thereof, and the word "improvement" means any reconstruction, improvement, addition, alteration or repair to any existing hospital or home for the aged and infirm and the equipment and furnishing thereof, and any work of any kind ordered to be done by ordinance, under this Act, by the legislative body of such City to any public hospital or home for the aged and infirm.

§ 17. Section 2827 Kentucky Statutes, vesting in the Department of Public Works of cities of the first class supervision and control over the construction of all public buildings and public improvments shall, to the extent that same conflicts with this Act, stand repealed, but to no further extent, and Section 2862 of Kentucky Statutes, vesting supervision of the Home for the Aged and Infirm in the Department of Public Welfare and supervision and direction of the City Hospital in the Department of Health, shall, to the extent that same conflicts with this Act, stand repealed, but no further. Provided, that after said public building or improvement shall be constructed or improved and turned over to the city, as provided herein, then said two sections shall attach and thereafter continue, as provided by an Act entitled, "An Act for the Government of Cities of the First Class" and the several amendments thereto.

§ 18. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Thomas Dunn	James A. May
E. S. Allison	J. W. Edwards	Geo. R. McIntosh
U. G. Anderson	William A. Eimer	Harry J. Meyers
W. O. Baxter	Joseph B. Everhart	Clarence Miller
D. C. Bradley	Virgil Eversole	B. T. Morris
T. L. Britton	Kelly J. Francis	F. Tyler Munford
John Young Brown	John B. Furlong	L. B. Murphy
J. Watt Brown	F. A. Gnau	M. L. Napier
John R. Buckman	L. B. Hamilton	J. D. Patton
James A. Campbell	H. G. Handmaker	John H. Pickett
Lee Clark	Rev. B. L. Hargrove	John W. Preston
Bradley Combs	C. E. Houk	Dorsey Ratliff
Leonard Cook	R. L. Jackson	D. O. Stanley
W. W. Cooper	Grover C. Johnson	Frank L. Strange
Ben L. Cox	J. Roy Johnson	Elmer J. Terry
G. Cunningham	Theron M. Johnson	E. J. Thomas
William J. Curtis	J. R. Johnston	Thomas H. Troxel
J. J. Davis	M. F. Jordan	C. B. Truesdell
E. C. Dennington	A. R. Kincheloe	H. Speed Tye
James R. Dorman	John B. Klefot	J. E. Walters
S. J. Douthitt	Martin Light	L. M. Weathers
C. B. Dowling	H. R. Marquette	G. W. Wigginton
W. C. Dugan	Joseph Martin	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. Res. 36. Resolution authorizing suit against the Commonwealth of Kentucky, on behalf of persons and firms named herein.

Said resolution is as follows, viz.:

Joint Resolution authorizing suit against the Commonwealth of Kentucky, on behalf of persons and firms named, therein, who had furnished labor, material, supplies and provender to Vermillion Contracting Company who defaulted in a contract to build certain roads in Laurel County, Kentucky.

Whereas: In the year 1924 The Vermillion Contracting Company having a contract for the building of certain roads in Laurel County, Kentucky, and after having entered upon same, thereafter abandoned said contract, and under the law the completion of the road was taken over by the sureties on the bond of said Vermillion Contracting Company, and

Whereas: Still thereafter the Vermillion Contracting Company went into and were finally discharged from bankruptcy, paying about 15% of the adjudicated claims, and said company is now bankrupt and insolvent, and

Whereas: The persons, firms and corporations named below had theretofore furnished for the construction of said road, materials, supplies, money, labor and services, for which they have only been paid the said approximate 15% leaving due to them and each of them the balances shown herein as being just, due and unpaid, and

Whereas: It is not nor should it be the policy of the state to permit its citizens to supply labor, material, equipment, money and services in building state aid roads at a loss occasioned by the failure of the original contractor; therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the following named persons, firms and corporations, be and they are hereby authorized to sue the Commonwealth of Kentucky for the amount set opposite their respective names, the said amounts representing the balances due on claims against Vermillion Contracting Company for labor, supplies, materials, money and service furnished and rendered said company in building state aid roads in Laurel County, Kentucky.

Name	Balance Due
Hackney Brother & Company	$24.37
Walter Hunt	656.33
Elmer T. Mitchell	138.06
London Manufacturing Co.	11.51
T. P. Watkins	13.70
M. A. Watkins	2.44
W. D. Catchings	142.49
Clint McCowan	2,703.62
J. D. Cathers	121.02
S. C. Robinson	654.00
Godsey & Scoville	1,648.85
Lee Parker	77.15
C. C. Wilson	30.46
M. T. Wilson	32.49
C. A. Casteel	503.61
Roll Nelson	90.96
Herbert Casteel	95.88
John Lewis	6.09
E. P. Reeder	186.26

Killon Robinson	9.95
John F. Dees	17.87
Eli Innman	78.68
Perry Mullins	42.24
G. W. Lewis	229.83
Killus Gaines	47.11
Luther Roodard	121.66
Bill Browning	60.22
Tip Riley	85.28
E. C. Mitchell	490.20
Casper McDaniel	12.18
Charles Cathers	9.91
Phil Webb	17.46
Chris Allen	36.48
C. S. Lamereaux	40.62
Jesse McGowan	113.05
Tri State Tel. Co.	18.27

(2) Said parties, if they so desire may join all their actions in one action, so as to save multiplicity of suits and resulting costs.

(3) Any action or actions begun under this authority shall be commenced within one year after this resolution becomes effective.

(4) If upon inspection and examination and due proof of the items and accounts, the Attorney General be satisfied that the claims are just, due and unpaid, then as to such as he thus finds, he may direct settlement and upon his direction of settlement the Auditor of Public Accounts may issue warrants against the Treasury, payable to each claimant, or to such attorney as may represent them or any of them.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Virgil Eversole	F. Tyler Munford
E. S. Allison	Kelly J. Francis	L. B. Murphy
U. G. Anderson	John B. Furlong	Fred A. Nolte
W. O. Baxter	Ralph Gilbert	Caleb A. Page
S. A. Blackburn	F. A. Gnau	Curtis F. Park
T. L. Britton	H. G. Handmaker	J. D. Patton
John R. Buckman	Rev. B. L. Hargrove	John H. Pickett
Dr. R. A. Byers	C. E. Houk	John W. Preston
James A. Campbell	R. L. Jackson	W. E. Randall
Lee Clark	Grover C. Johnson	Dorsey Ratliff
Bradley Combs	J. R. Johnston	Frank L. Strange
Ben L. Cox	A. R. Kincheloe	H. L. Taylor
J. J. Davis	Fred V. Lucas	Elmer J. Terry
Winn Davis	Joseph Martin	E. J. Thomas
S. J. Douthitt	James A. May	H. Speed Tye
C. B. Dowling	Geo. R. McIntosh	L. M. Weathers
W. C. Dugan	Henry Meiman	G. W. Wigginton
Thomas Dunn	Clarence Miller	Robert Williams
William A. Eimer	Russell O. Miller	
Joseph B. Everhart	M. F. Moore	—58

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. Res. 39. Resolution authorizing the Kentucky Road Construction Company to sue the Commonwealth.

S. B. 2. An Act relating to superintendents and supervisors of Public Schools and fixing standards of qualifications.

S. B. 252. An Act concerning the Library and Librarian.

H. B. 9. An Act relating to a primary system of roads and Highways.

H. B. 49. An Act relating to a primary system of roads and Highways.

H. B. 50. An Act relating to a primary system of roads and Highways.

H. B. 51. An Act relating to a primary system of roads and Highways.

H. B. 52. An Act relating to a primary system of roads and Highways.

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H. B. 58. An Act relating to a primary system of roads and Highways.

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H. B. 397. An Act relating to the primary system of roads and highways.

H. B. 399. An Act relating to the primary system of roads and highways.

H. B. 405. An Act relating to the primary system of roads and highways.

H. B. 426. An Act relating to the primary system of roads and highways.

H. B. 427. An Act relating to the primary system of roads and highways.

H. B. 435. An Act relating to the primary system of roads and highways.

H. B. 443. An Act relating to the primary system of roads and highways.

H. B. 444. An Act relating to the primary system of roads and highways.

H. B. 445. An Act relating to the primary system of roads and highways.

H. B. 456. An Act relating to the primary system of roads and highways.

H. B. 458. An Act relating to the primary system of roads and highways.

H. B. 459. An Act relating to the primary system of roads and highways.

H. B. 460. An Act relating to the primary system of roads and highways.

H. B. 461. An Act relating to the primary system of roads and highway.

H. B. 642. An Act relating to the primary system of roads and highways.

H. B. 463. An Act relating to the primary system of roads and highways.

H. B. 470. An Act relating to the primary system of roads and highways.

H. B. 471. An Act relating to the primary system of roads and highways.

H. B. 472. An Act relating to the primary system of roads and highways.

H. B. 477. An Act relating to the primary system of roads and highways.

H. B. 480. An Act relating to the primary system of roads and highways.

H. B. 481. An Act relating to the primary system of roads and highways.

H. B. 482. An Act relating to the primary system of roads and highways.

H. B. 495. An Act relating to the primary system of roads and highways.

H. B. 497. An Act relating to the primary system of roads and highways.

H. B. 499. An Act relating to the primary system of roads and highways.

H. B. 506. An Act relating to the primary system of roads and highways.

H. B. 507. An Act relating to the primary system of roads and highways.

H. B. 517. An Act relating to the primary system of roads and highways.

H. B. 518. An Act relating to the primary system of roads and highways.

H. B. 519. An Act relating to the primary system of roads and highways.

H. B. 520. An Act relating to the primary system of roads and highways.

H. B. 521. An Act relating to the primary system of roads and highways.

H. B. 522. An Act relating to the primary system of roads and highways.

H. B. 525. An Act relating to the primary system of roads and highways.

H. B. 527. An Act relating to the primary system of roads and highways.

H. B. 543. An Act relating to the primary system of roads and highways.

H. B. 544. An Act relating to the primary system of roads and highways.

H. B. 545. An Act relating to the primary system of roads and highways.

H. B. 548. An Act relating to the primary system of roads and highways.

H. B. 552. An Act relating to the primary system of roads and highways.

H. B. 558. An Act relating to the primary system of roads and highways.

H. B. 560. An Act relating to the primary system of roads and highways.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that the bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enroling Clerk of this House deliver the bills which originated in this House to the Senate.

After a time the Enrolling Clerk delivered the enrolled and original copies of said House bills duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

And that he had delivered to the Governor a bill entitled:

H. B. 396. An Act providing for a State-wide registration of voters except in cities of the first class, fixing the time and manner in which the voters of the State shall register.

Which was reported by the Committee on Enrollment on Saturday, March 8, and was signed by the Speaker of the House on that day.

Mr. Dorman moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, MARCH 11, 1930.

The House was opened with prayer by the Reverend J. A. McCammon of the Church of the Nazarene of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
Thomas Dunn
J. W. Edwards
William A. Eimer
J. O. Evans
Joseph B. Everhart
Virgil Eversole
Kelly J. Francis
John B. Furlong
Ralph Gilbert
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Frank LeBus
Martin Light
Fred V. Lucas
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Geo. R. McIntosh
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
F. Tyler Munford
L. B. Murphy
M. L. Napier
Andrew W. Nichols
H. L. Nickell
Fred A. Nolte
Caleb A. Page
Curtis F. Park
J. D. Patton
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
D. O. Stanley
Frank L. Strange
H. L. Taylor
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
C. B. Truesdell
Dr. Vallandingham
J. D. Via
J. E. Walters
L. M. Weathers
G. W. Wigginton
Robert Williams
J. S. Milliken, Spkr.

Mr. Dorman of the Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that when the hour of twelve o'clock Meridian arrive today, that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

Mr. Everhart moved that when the House adjourn today, that it adjourn out of respect for the memory of the Hon. W. H. Taft, Chief Justice of the Supreme Court of the United States and former President of the United States.

Said motion was agreed to.

A message was received from the Senate, announcing that they had passed bills of the following titles, viz.:

H. B. 123. An Act to amend Sec. 11, Art. 6 of an Act entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky."

H. B. 126. An Act to amend and re-enact Sec. 1938a-4 Kentucky Statutes, Carroll's 1922 edition, changing the closed season on squirrels, etc.

H. Res. 26. Resolution authorizing the personal representative of Walter R. Roy to file suit against the Commonwealth.

Ordered that said bills be delivered to the Enrolling Clerk of the House.

And that they had passed bills which originated in that body entitled:

S. B. 111. An Act regulating the planting of trees, shrubs, or other growths within the State Highways, designating care and control, etc.

S. B. 353. An Act to repeal and re-enact Sec. 2380, subsec. 2, Kentucky Statutes, Carroll's Edition, being 1926 supplement and being the Act as amended.

S. B. 383. An Act amending Chapter 31 of the Acts of the General Assembly of 1920, relating to the practice of Optometry.

S. B. 399. An Act to amend Sec. 117, Kentucky Statutes, Carroll's 1922 Edition, being an Act relating to the salary of the Attorney General.

S. B. 411. An Act appropriating Twelve Thousand Dollars, ($12,000.00) or so much thereof as may be necessary to the Kentucky State Park Commission.

S. B. 417. An Act to provide for the manufacture of license plates or tags for motor vehicles.

Ordered that said bills be printed and referred to the Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 724. An Act to amend, repeal and re-enact Sec. 2005-1 of the Kentucky Statutes, Carroll's 1922 Edition, concerning the compensation of members of the General Assembly.

Said bill is as follows, viz.:

An Act to amend, repeal and re-enact Section 2005-1 of the Kentucky Statutes, Carroll's 1922 Edition, concerning the compensation of members of the General Assembly.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2005-1 of the Kentucky Statutes, Carroll's 1922 Edition be amended, repealed and re-enacted so that same when re-enacted will read as follows:

The members of the General Assembly of the upper house (Senate) shall receive from the State treasury compensation for their services of Twelve Hundred dollars per annum during the term for which they have been elected, which shall be paid in equal monthly installments, and in addition thereto shall receive fifteen cents per mile for the necessary travel in going to and returning from the sessions of the General Assembly.

Mr. Hargrove offered the following Amendments to said bill, viz.:

Amend H. B. 724, printed copy, by striking out all of lines 6, 7, 8, 9 and 10 and inserting in lieu thereof the following "Ten Dollars per day during their attendance on and six cents (6c) per mile for necessary travel in going to and returning from the sessions of the General Assembly at the end of each week that the General Assembly is in session."

Amend printed copy of H. B. 724 by striking out the words "twelve hundred dollars" in line 6 and substituting the words "Five Hundred Dollars."

Said Amendments were each disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Joseph B. Everhart	Russell O. Miller
William B. Ardery	Virgil Eversole	F. Tyler Munford
W. O. Baxter	Kelly J. Francis	M. L. Napier
D. C. Bradley	F. A. Gnau	H. L. Nickell
T. L. Britton	L. B. Hamilton	Fred A. Nolte
Dr. R. A. Byers	H. G. Handmaker	J. D. Patton
Bradley Combs	Robt. L. Horn	John H. Pickett
Leonard Cook	Grover C. Johnson	John W. Preston
H. G. Crabtree	J. Roy Johnson	Dorsey Ratliff
G. Cunningham	J. R. Johnston	H. L. Taylor
J. J. Davis	A. R. Kincheloe	E. J. Thomas
E. C. Dennington	H. R. Marquette	C. B. Truesdell
James R. Dorman	Joseph Martin	H. Speed Tye
C. B. Dowling	James A. May	Dr. Vallandingham
W. C. Dugan	Geo. R. McIntosh	J. D. Via
Thomas Dunn	Henry Meiman	Robert Williams
William A. Eimer	Harry J. Meyers	—50

Those who voted in the negative were—

F. B. Adcock	William J. Curtis	Theron M. Johnson
E. S. Allison	Winn Davis	M. F. Jordan
S. A. Blackburn	S. J. Douthitt	John B. Klefot
J. Watt Brown	J. W. Edwards	Frank LeBus
John R. Buckman	J. O. Evans	Martin Light
James A. Campbell	John B. Furlong	Fred V. Lucas
Lee Clark	Ralph Gilbert	Clarence Miller
Elmer Cook	Rev. B. L. Hargrove	M. F. Moore
W. W. Cooper	J. F. Harrison	B. T. Morris
Ben L. Cox	R. L. Jackson	L. B. Murphy

Andrew W. Nichols	Denny P. Smith	J. A. Thompson
Curtis F. Park	D. O. Stanley	J. E. Walters
James I. Peters	Frank L. Strange	L. M. Weathers
W. E. Randall	Elmer J. Terry	G. W. Wigginton

—42

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 725. An Act to amend, repeal and re-enact section 2005-2 of the Kentucky Statutes Carroll's 1922 Edition, concerning the compensation of members of the General Assembly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2005-2 of the Kentucky Statutes Carroll's 1900 Edition be amended, repealed and re-enacted so that same when amended, repealed and re-enacted will read as follows:

The members of the Lower House (House of Representatives) shall receive the same salary as is provided for the members of the Upper House (Senate) which shall be paid in the same manner as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Thomas Dunn	Geo. R. McIntosh
W. O. Baxter	William A. Eimer	Henry Meiman
S. A. Blackburn	Garland Embry	Harry J. Meyers
D. C. Bradley	Joseph B. Everhart	Russell O. Miller
T. L. Britton	Virgil Eversole	F. Tyler Munford
John Young Brown	Kelly J. Francis	M. L. Napier
Dr. R. A. Byers	F. A. Gnau	H. L. Nickell
Bradley Combs	L. B. Hamilton	Fred A. Nolte
Elmer Cook	H. G. Handmaker	J. D. Patton
Leonard Cook	Robt. L. Horn	John H. Pickett
H. G. Crabtree	Grover C. Johnson	John W. Preston
G. Cunningham	J. Roy Johnson	Dorsey Ratliff
J. J. Davis	J. R. Johnston	H. L. Taylor
E. C. Dennington	A. R. Kincheloe	E. J. Thomas
James R. Dorman	H. R. Marquette	C. B. Truesdell
S. J. Douthitt	B. K. Marshall, Jr.	H. Speed Tye
C. B. Dowling	Joseph Martin	Dr. Vallandingham
W. C. Dugan	James A. May	Robert Williams

—54

Those who voted in the negative were—

F. B. Adcock	William J. Curtis	R. L. Jackson
E. S. Allison	Winn Davis	Theron M. Johnson
J. Watt Brown	J. W. Edwards	M. F. Jordan
John R. Buckman	John B. Furlong	John B. Klefot
James A. Campbell	Ralph Gilbert	Martin Light
Lee Clark	Rev. B. L. Hargrove	Fred V. Lucas
W. W. Cooper	J. F. Harrison	Clarence Miller
Ben L. Cox	C. E. Houk	M. F. Moore

B. T. Morris	W. E. Randall	J. A. Thompson
L. B. Murphy	Denny P. Smith	J. E. Walters
Andrew W. Nichols	D. O. Stanley	L. M. Weathers
Curtis F. Park	Frank L. Strange	G. W. Wigginton
James I. Peters	Elmer J. Terry	—38

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 371. An Act to authorize cities of the second class to enter into contracts with persons, firms and corporations for the ownership and operation thereby of bridges or the highway and/or pedestrian portions thereof wholly or partly within the city limits extending over any stream or other water course, including any navigable river forming a state boundary line, under conditions calculated to make the same free of tolls, and declaring such bridges or portions to be public property used for public purposes.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the second class in this Commonwealth, for the purpose of ultimately acquiring and freeing from tolls any bridge or bridges wholly or partly within the city limits extending over any streams or other water course, including any river forming a state boundary line, or the highway and/or pedestrian portion of any such bridge or bridges, is hereby authorized to enter into a contract or contracts with any person, firm or corporation, domestic or foreign (hereinafter for convenience termed Corporation) qual-

ified to enter into such contract which shall embrace the covenants provided for in Sections 2 and 3 of this act.

§ 2. In such contract or contracts the Corporation shall agree: (a) to acquire the ownership of such bridge or portion thereof (unless it shall theretofore have acquired such ownership) and (b) to operate and maintain the same and (c) to charge and collect tolls for traffic over all such bridge or portion thereof, and (d) to apply the revenues therefrom, after deduction of the reasonable expense of operation, maintenance and repair and a reasonable return to the Corporation not exceeding fifteen (15%) of revenues after the deduction of such expense, to the amortization of the cost to the Corporation of such bridge or portion, with the proviso that if alterations or improvements shall be necessitated by law or by the order of any governmental or state department having jurisdiction so to order, or be necessitated by casualty or other necessity, such alterations or improvements not being in the nature of ordinary repairs or maintenance, all of the revenues, after deduction of the reasonable expense of operation, maintenance and repair, shall be applied to the amortization of the cost to the Corporation of such bridge or portion and to the cost of such alterations or improvements, all such costs to be deemed to include reasonable interest and financing costs, and (e) upon the completion of such amortization to surrender and turn over such bridge or portion to the City.

§ 3. In such contract or contracts the City may agree to transfer and assign to the Corporation any interest or right the City may have in such bridge or portion, or any interest or right of the City to acquire the same, and shall agree to take over such bridge when turned over to it as hereinbefore provided, and thereafter to maintain and operate the same as a free bridge unless and until the same may be taken over and so maintained and operated by the Commonwealth or by the State Highway Commission, or by any other department of the Commonwealth.

§ 4. Upon the execution of any such contract, the present owners of any such bridge or portion sold to such City or Corporation, if such bridge or portion be the subject matter of the contract so executed, shall be relieved from any obligation or duty heretofore imposed upon such owners by legislative enactment further to maintain or keep open such bridge or portion to the public.

§ 5. Any such bridge or portion, so long as operated under any such contract, and thereafter so long as operated free of tolls as hereinabove provided, shall be deemed public property used for public purposes.

§ 6. This act shall not be construed to repeal any existing act or law authorizing any cities of the second class of this Commonwealth to acquire and maintain bridges across any river or water course within or bounding such city, but it is hereby declared to be the legislative intent to confer additional power on cities of the second class to acquire bridge or bridges wholly or partly within the city limits extending over any stream or other water course or river forming state boundary line.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	D. C. Bradley	John R. Buckman
E. S. Allison	T. L. Britton	Dr. R. A. Byers
U. G. Anderson	John Young Brown	James A. Campbell
W. O. Baxter	J. Watt Brown	Lee Clark

Bradley Combs	L. B. Hamilton	L. B. Murphy
Elmer Cook	Rev. B. L. Hargrove	Andrew W. Nichols
W. W. Cooper	J. F. Harrison	H. L. Nickell
Ben L. Cox	Robt. L. Horn	Fred A. Nolte
H. G. Crabtree	R. L. Jackson	John H. Pickett
G. Cunningham	Grover C. Johnson	John W. Preston
William J. Curtis	J. Roy Johnson	W. E. Randall
J. J. Davis	Theron M. Johnson	Dorsey Ratliff
Winn Davis	J. R. Johnston	Denny P. Smith
E. C. Dennington	M. F. Jordan	D. O. Stanley
James R. Dorman	A. R. Kincheloe	Frank L. Strange
S. J. Douthitt	John B. Klefot	H. L. Taylor
W. C. Dugan	Martin Light	Elmer J. Terry
Thomas Dunn	H. R. Marquette	E. J. Thomas
William A. Eimer	B. K. Marshall, Jr.	Thomas H. Troxel
Joseph B. Everhart	Joseph Martin	C. B. Truesdell
Virgil Eversole	James A. May	H. Speed Tye
Kelly J. Francis	Geo. R. McIntosh	Dr. Vallandingham
John B. Furlong	Henry Meiman	L. M. Weathers
Ralph Gilbert	Harry J. Meyers	Robert Williams
F. A. Gnau	Clarence Miller	—74

There voted in the negative—

Leonard Cook —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the folowing bills were introduced, ordered printed and referred to Committee on Rules, viz.:

By Mr. Kincheloe:

H. B. 766. An Act prohibiting any person from setting any spring-trap or dead-fall that will kill, cripple or injure any dog or live stock over 100 yards from the residence, chicken-house or stock barn of such person.

By Mr. Peters:

H. B. 767. An Act creating a road project in Mercer County.

At the instance of the Committee on Rules, Mr. Dorman reported bills of the following titles, viz.:

H. B. 483. An Act to repeal, amend and re-enact Sec. 1 of chapter 128 of the Acts of the General Assembly 1928, approved March 21, 1928, relating to revenue and taxation.

With a Committee Amendment thereto by way of Substitute therefor.

H. B. 765. An Act relating to the adoption of text-books in this Commonwealth and providing that not more than 33 1/3 of the Basal text-books heretofore adopted and in use in any unit shall be changed.

H. B. 628. An Act amending sec. 4153 (31) Carroll's Kentucky Statutes relating to revenue and taxation.

H. B. 727. An Act to amend and re-enact sec. 210 of Kentucky Statutes Carroll's 1922 Edition.

H. B. 182. An Act to repeal and re-enact sec. 331e-3 Carroll's Kentucky Statutes, 1922 Edition, as amended by Chapter 44 of the General Assembly of 1926, providing for the appointment and compensation of probation officers.

H. B. 652. An Act to amend, repeal and re-enact sec. 131 of Kentucky Statutes relating to County Attorneys and Attorneys appointed to act for the County Attorney in Inferior Courts.

H. B. 736. An Act to amend and re-enact Sec. 2242 Kentucky Statutes, relating to time Jury Commissioner may remain in session; compensation; reconvening, etc.

H. B. 743. An Act relating to the building and maintaining of roads by the State Highway Commission to permanent landing fields operated by municipalities, counties or State.

S. B. 98. An Act to regulate sales of real estate belonging to infants and persons of unsound mind.

S. B. 201. An Act to regulate the buying or receiving, selling or disposing of used or second-hand articles, etc.

S. B. 311. An Act to provide for the payment of premiums on bonds executed by county officers.

S. B. 69. An Act to amend Sec. 11, Article 6 of an Act, entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky."

S. B. 202. An Act to repeal chapter 52 of the Acts of the General Assembly of 1928, relating to a supervisory attendance officer for public schools.

S. B. 118. An Act for the benefit of Mary Mallissa Wells.

S. B. 359. An Act to repeal and re-enact Sec. 2380 subsec. 26, Kentucky Statutes, relating to the contract for the construction of the drainage project and how same shall be let by the Board of Drainage Commissioners.

S. Res. 31. Resolution authorizing J. B. Betts of Nicholasville, Kentucky, to sue the Commonwealth.

H. Res. 49. An Act authorizing J. D. Purcell to sue the Commonwealth.

H. B. 564. An Act to amend Sec. 4325, Kentucky Statutes, Carroll's 1922 Edition.

S. B. 277. An Act repealing chapter 181 of the Acts of the General Assembly of 1928, and enacting in lieu thereof an Act establishing primary road project.

S. B. 312. An Act relating to primary road project.

S. B. 313. An Act relating to primary system of roads and highways.

S. B. 314. An Act relating to primary system of roads and highways.

S. B. 316. An Act relating to primary system of roads and highways.

S. B. 318. An Act relating to primary system of roads and highways.

S. B. 319. An Act relating to primary system of roads and highways.

S. B. 321. An Act relating to primary system of roads and highways.

S. B. 322. An Act relating to primary system of roads and highways.

S. B. 330. An Act relating to primary system of roads and highways.

S. B. 331. An Act relating to primary system of roads and highways.

S. B. 332. An Act relating to primary system of roads and highways.

S. B. 333. An Act relating to primary system of roads and highways.

S. B. 338. An Act relating to primary system of roads and highways.

S. B. 350. An Act relating to primary system of roads and highways.

S. B. 377. An Act relating to primary system of roads and highways.

S. B. 381. An Act relating to primary system of roads and highways.

S. B. 386. An Act relating to primary system of roads and highways.

S. B. 387. An Act relating to primary system of roads and highways.

S. B. 388. An Act to amend Sec. 4356t-5, relating to primary system of roads and highways.

S. B. 389. An Act relating to primary system of roads and highways.

S. B. 391. An Act relating to primary system of roads and highways.

S. B. 392. An Act relating to primary system of roads and highways.

S. B. 395. An Act relating to primary system of roads and highways.

S. B. 396. An Act relating to primary system of roads and highways.

S. B. 397. An Act relating to primary system of roads and highways.

S. B. 407. An Act relating to primary system of roads and highways.

S. B. 412. An Act relating to primary system of roads and highways.

S. B. 139. An Act relating to primary system of roads and highways.

S. B. 172. An Act relating to primary system of roads and highways.

S. B. 173. An Act relating to primary system of roads and highways.

S. B. 174. An Act relating to primary system of roads and highways.

S. B. 179. An Act relating to primary system of roads and highways.

S. B. 197. An Act relating to primary system of roads and highways.

S. B. 213. An Act relating to primary system of roads and highways.

S. B. 224. An Act relating to primary system of roads and highways.

S. B. 230. An Act relating to primary system of roads and Highways.

S. B. 232. An Act relating to primary system of roads and highways.

S. B. 235. An Act relating to primary system of roads and highways.

S. B. 236. An Act relating to primary system of roads and highways.

H. B. 237. An Act relating to Primary system of Roads and Highways.

S. B. 238. An Act relating to Primary system of Roads and highways.

S. B. 242. An Act relating to Primary system of Roads and Highways.

S. B. 255. An Act relating to Primary system of Roads and Highways.

S. B. 263. An Act relating to Primary system of Roads and Highways.

S. B. 265. An Act relating to Primary system of Roads and Highways.

S. B. 268. An Act relating to primary system of Roads and Highways.

S. B. 271. An Act relating to Primary system of Roads and Highways.

S. B. 274. An Act relating to Primary system of Roads and Highways.

S. B. 276. An Act relating to Primary system of Roads and Highways.

S. B. 280. An Act relating to Primary system of Roads and Highways.

S. B. 282. An Act relating to Primary system of Roads and Highways.

S. B. 284. An Act relating to a Primary system of Roads and Highways.

S. B. 285. An Act relating to a Primary system of Roads and Highways.

S. B. 286. An Act relating to a Primary system of Roads and Highways.

S. B. 288. An Act relating to a Primary system of Roads and Highways.

H. B. 566. An Act relating to Primary system of Roads and Highways.

H. B. 568. An Act relating to Primary system of Roads and Highways.

H. B. 570. An Act relating to Primary system of Roads and Highways.

H. B. 581. An Act relating to Primary system of Roads and Highways.

H. B. 585. An Act relating to Primary system of Roads and Highways.

H. B. 590. An Act relating to Primary system of Roads and Highways.

H. B. 592. An Act reating to Primary system of Roads and Highways.

H. B. 598. An Act relating to Primary system of Roads and Highways.

H. B. 600. An Act relating to Primary system of Roads and Highways.

H. B. 606. An Act relating to Primary system of Roads and Highways.

H. B. 607. An Act relating to Primary system of Roads and Highways.

H. B. 608. An Act relating to Primary system of Roads and Highways.

H. B. 609. An Act relating to Primary system of Roads and Highways.

H. B. 610. An Act relating to Primary system of Roads and Highways.

H. B. 613. An Act relating to Primary system of Roads and Highways.

H. B. 615. An Act relating to Primary system of Roads and Highways.

H. B. 617. An Act relating to Primary system of Roads and Highways.

H. B. 625. An Act relating to Primary system of Roads and Highways.

H. B. 626. An Act relating to Primary system of Roads and Highways.

H. B. 629. An Act relating to Primary system of Roads and Highways.

H. B. 630. An Act relating to Primary system of Roads and Highways.

H. B. 631. An Act relating to Primary system of Roads and Highways.

H. B. 633. An Act relating to Primary system of Roads and Highways.

H. B. 639. An Act relating to Primary system of Roads and Highways.

H. B. 640. An Act relating to Primary system of Roads and Highways.

H. B. 648. An Act relating to Primary system of Roads and Highways.

H. B. 649. An Act relating to Primary system of Roads and Highways.

H. B. 650. An Act relating to Primary system of Roads and Highways.

H. B. 653. An Act relating to Primary system of Roads and Highways.

H. B. 661. An Act relating to Primary system of Roads and Highways.

H. B. 663. An Act relating to Primary system of Roads and Highways.

H. B. 664. An Act relating to Primary system of Roads and Highways.

H. B. 665. An Act relating to Primary system of Roads and Highways.

H. B. 666. An Act relating to Primary system of Roads and Highways.

H. B. 667. An Act relating to Primary system of Roads and Highways.

H. B. 669. An Act relating to Primary system of Roads and Highways.

H. B. 670. An Act relating to Primary system of Roads and Highways.

H. B. 671. An Act relating to Primary system of Roads and Highways.

H. B. 672. An Act Relating to Primary system of Roads and Highways.

H. B. 673. An Act relating to Primary system of Roads and Highways.

H. B. 674. An Act relating to Primary system of Roads and Highways.

H. B. 680. An Act relating to Primary system of Roads and Highways.

H. B. 685. An Act relating to Primary system of Roads and Highways.

H. B. 686. An Act relating to Primary system of Roads and Highways.

H. B. 687. An Act relating to Primary system of Roads and Highways.

H. B. 688. An Act relating to Primary system of Roads and Highways.

H. B. 691. An Act relating to Primary system of Roads and Highways.

H. B. 692. An Act relating to Primary system of Roads and Highways.

H. B. 694. An Act relating to Primary system of Roads and Highways.

H. B. 695. An Act relating to Primary system of Roads and Highways.

H. B. 699. An Act reating to Primary system of Roads and Highways.

H. B. 700. An Act relating to Primary system of Roads and Highways.

H. B. 701. An Act relating to Primary system of Roads and Highways.

H. B. 711. An Act relating to Primary System of Roads and Highways.

H. B. 712. An Act relating to Primary system of Roads and Highways.

H. B. 715. An Act relating to the Primary system of Roads and Highways.

H. B. 716. An Act relating to Primary system of Roads and Highways.

H. B. 760. An Act relating to the Primary systm of Roads and Highways.

H. B. 761. An Act relating to the Primary system of Roads and Highways.

H. B. 762. An Act relating to the Primary system of Roads and Highways.

H. B. 730. An Act relating to the Primary system of Roads and Highways.

H. B. 731. An Act relating to the Primary system of Roads and Highways.

H. B. 732. An Act relating to the Primary system of Roads and Highways.

H. B. 733. An Act relating to the Primary system of Roads and Highways.

H. B. 734. An Act relating to the Primary system of Roads and Highways.

H. B. 738. An Act relating to the Primary system of Roads and Highways.

H. B. 739. An Act relating to the Primary system of Roads and Highways.

H. B. 746. An Act reating to the Primary system of Roads and Highways.

H. B. 747. An Act relating to the Primary system of Roads and Highways.

H. B. 748. An Act relating to the primary system of roads and highways.

H. B. 752. An Act relating to the primary system of roads and highways.

H. B. 754. An Act relating to primary system of roads and highways.

S. B. 433. An Act relating to primary system of roads and highways.

H. B. 547. An Act relating to Primary road system.

H. B. 515. An Act relating to the Primary road system.

S. B. 342. An Act to amend and re-enact Section 1 of Chapter 143 entitled "An Act providing for oiling of the streets in cities of the fourth and fifth classes."

S. B. 353. An Act to repeal and re-enact Sction 2380, Sub-Sec. 2, Ky. Stats., Carroll's Edition, being 1926 Supplement and being the Act as amended March 25, 1916.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

The hour of twelve o'clock Meridian having arrived, the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 555. An Act to amend and re-enact Chapter 63, Sec. 2054, article 3, Carroll's Kentucky Statutes, 1922 Edition, entitled "An Act creating a Bureau of Sanitary Engineering for the study and improvement of water supplies and methods."

Said bill is as follows, viz.:

An Act to amend and re-enact Chapter 63, Section 2054, Article 3, Carroll's Kentucky Statutes, 1922 edition, entitled, "An Act creating a Bureau of Sanitary Engineering for the study and improvement of water supplies and methods of sewerage and waste disposal, and the State Board of Health is empowered to provide standards of qualifications and issue certificates for the operatives in water and sewer plants;" and adding thereto new sections forbidding the deposit of noxious acids and acid materials in navigable waters of the State of Kentucky, and providing penalties for the violation of this Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) That Chapter 53, Section 2054, Article 3, Carroll's Kentucky Statutes, 1922 edition, entitled, "An Act creating a Bureau of Sanitary Engineering for the study and improvement of water supplies and methods of sewerage and waste disposal, and the State Board of Health is empowered to provide standards of qualifications and issue certificates for the operatives in water and sewer plants," be amended and re-enacted, so that when said section is amended and re-enacted it shall read as follows:

§ 1. There is hereby created a Bureau of Sanitary Engineering for the study and improvement of water supplies and methods of sewerage and waste disposal, and the State Board of Health is hereby empowered to provide standards and qualifications and issue certificates for the operatives in water and sewer plants.

§ 2. That, within the limits to be prescribd by the Director of the Bureau of Sanitary Engineering of the State Board of Health, it shall not be lawful to throw, discharge or deposit, or cause, suffer or procure to be thrown, discharged, or deposited from any source whatever, any free acid or acid waste in any form, or any material which will become acid after being in the water, either directly or indirectly, into any navigable water of the State of Kentucky, or into any tributary of any navigable water; and every such disposition of such free acid, acid waste, or acid forming material shall be a separate offense, and where the disposition or flow is continuous each calendar day of its continuance shall be regarded as a separate offense.

§ 3. In case the Director of the Bureau of Sanitary Engineering of the State Board of Health, is satisfied after investigation that the discharge from any active or abandoned mine or from any factory or establishment is acid or carries material which will become acid, he may, if he regards it as necessary, prohibit the discharge of such waste or other material, or may regulate the entrance thereto into the stream, or may require the treatment of such discharge in such manner as to destroy its acidity.

§ 4. The Director of the Bureau of Sanitary Engineering of the State Board of Health, shall consult and advise with the owner of any mine, either active or abandoned, or of any factory, mill or other establishment, at the request of such owner of his own motion, as to the best practicable and reasonably available means of rendering the waste or refuse therefrom harmless.

§ 5. Every person or every corporation that shall violate, or that shall knowingly aid, abet, authorize, or instigate a violation of the foregoing provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding ($2,500) twenty-five hundred dollars nor less than ($500.00), or by imprisonment (in the case of a natural person) for not less than thirty days

nor more than one year, or by both such fine and imprisonment, in the discretion of the court.

§ 6. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Dorman of Rules Committee moved that said bill be laid on the tabe.

Said motion was agreed to.

The Clerk produced and read the following communication to the House, viz.:

IN HOUSE OF REPRESENTATIVES
March 10, 1930

The following certification duly attested and spread upon the enrolled copy of House Bill Number 641 and House Bill Number 559, as it relates to said bills respectively, was presented today to Maxwel Heavrin, Secretary to the Governor and receipts for said bills were asked for as per the following certification:

I hereby certify that on March 8, 1930, I went to the office of the Hon. Flem D. Sampson, Governor of Kentucky, at the State Capitol, and found his office closed. I knocked vigorously on the door, and requested admittance in a voice loud enough to be heard by any person within said office, stating that I had House Bills Numbers 559 and 641, which had been duly passed by the General Assembly of Kentucky and signed by the presiding officers of the House and Senate and attested by the Clerk, and desired to present same to him as Governor for action. No one responded from the inside and the door remained closed. I thereafter telephoned to his office and to his residence, and to the residence of each of the secretaries of the Governor, and failed to locate the Governor or either of his secretaries.

Thereafter, on March 10, 1930, I again presented said bill to Governor Flem D. Sampson, and requested his receipt as of March 8, 1930.

Attest: CLIFFORD THOMAS,
Chief Clerk House of Representatives.

Thereupon said request asking the receipts of said bills to date March 8, 1930, was refused by Mr. Heavrin, Secretary to the Governor, when requested by the Chief Clerk of the House of Representatives.

Then said Clerk requested a receipt for said bills, whereupon he was informed by Mr. Heavrin, Secretary to the Governor, that he would not receipt for said bills at all with the above set out attestation as it appeared on said bills.

Thereupon the bills were returned to the Clerk of the House of Representatives.

At a later hour of today, March 10, 1930, accompanied by the undersigned witnesses, said bills were again presented to Mr. Heavrin, Secretary to the Governor, asking receipt for same as per the above attestation.

Thereupon Mr. Heavrin, the Secretary to the Governor, again refused to receipt for said bills with the aforesaid attestation spread upon them.

The Chief Clerk of the House and those accompanying him then requested to be presented to the Governor.

Which request was refused, the Governor replying that Mr. Heavrin was acting under and according to instructions from the Governor, and that Mr. Heavrin's actions were to be considered sufficient.

And then the Clerk of the House returned to the House Clerk's office with said bills in his possession.

We, the undersigned, certify that the foregoing procedure of the last visit to the office of the Governor is a true account thereof.

Signed,

Clifford Thomas, Chief Clerk of the House of Representatives.
W. A. Perry, Chief Clerk of the Senate,
Lindsey Ridgeway, Assistant Clerk House of Representatives.
Oscar Wicker, Assistant Clerk of the Senate,
John Klefot, Member House of Representatives.

Mr. Klefot moved that the Speaker appoint a Committee consisting of five members of this House to wait upon the Governor and request that he receive and receipt for House Bills Numbers 559 and 641, as they were attempted to be delivered to him in due course on March 8, 1930.

Said motion was agreed to.

Thereupon the Speaker announced Messrs. Klefot, Strange, Gilbert, Park and Gnau as members constituting said Committee.

Mr. Nichols moved that said communication as delivered by the Chief Clerk be spread upon the Journal of the House.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in that body entitled:

S. B. 433. An Act to establish a primary road between London and Williamsburg and running to Mammoth Cave.

S. B. 253. An Act to assist ex-service men and women of Kentucky who do not come under the provisions of the act known as the Kentucky Disabled Ex-Service Men's Board.

S. Res. 38. Resolution to invite Hon. Henry Ford of Dearborn, Michigan, to address the General Assembly of the Commonwealth of Kentucky.

Ordered that said bills be printed and referred to Committee on Rules,

And that they had passed a bill which originated in this House entitled:

H. B. 304. An Act to regulate the selling, offering or exposing for sale of agricultural seeds, etc.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 270. An Act to regulate aviation; to provide for the licensing and registration of airmen and aircraft; to make an appropriation for the Air Board of Kentucky; to authorize the members of said board to employ necessary personnel, and to empower the air Board of Kentucky to enforce the laws relative to Aviation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. In this Act "aircraft" means any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air, except a parachute or other contrivance designed for such navigation, but used primarily as safety equipment. "Operating aircraft" means performing the services of aircraft pilot.

§ 2. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within this State should conform with respect to design, construction and airworthiness to the standards prescribed by the United States Government with respect to navigation of aircraft subject to its jurisdiction, it shall be unlawful for any person to navigate an aircraft within the State unless it is licensed and registered by the Department of Commerce of the United States in the manner prescribed by the lawful rules and regulations of the United States Government then in force.

§ 3. The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person engaging within this State in navigating the aircraft described in section 2 hereof in any form of navigation for which license to operate such aircraft would be required by the United States Government shall have the qualifications necessary for obtaining and holding the class of license required by the United States Government. It shall be unlawful for any person to engage in operating such aircraft within this State in any form of navigation unless he shall have such license.

§ 4. The certificate of the licensee herein required shall be kept in the personal possession of the licensee when he is operating aircraft within this State, and must be presented for inspection upon the demand of any passenger, any peace officer of this State, or any official, manager or person in charge of any airport or landing field in this State upon which he shall land.

§ 5. The public safety requiring and the advantages of uniform regulation making it desirable, it shall be unlawful for any person to operate any aircraft within the State in any form of navigation whatsoever in violation of the air traffic rules promulgated by the Air Board of the Commonwealth of Kentucky as hereinafter authorized.

§ 6. The Air Board of Kentucky shall, from time to time, promulgate air traffic rules applicable to the operation of aircraft within the Commonwealth: Provided, however; that such air traffic rules shall be identical with the air traffic rules adopted by the United States Government as nearly as may be and in so far as same are applicable; which said air traffic rules shall be maintained in current condition by likewise promulgating any amendments which may be made effective by the United States Government.

§ 7. All aircraft and aircraft pilots operating in the State of Kentucky shall be registered with the Air Board of Kentucky in such a manner and such detail as may be prescribd by said Board from time to time. A period not to exceed 30 days after the beginning of operation shall be allowed for such registration, provided, however, that no pilot or aircraft shall operate for hire until such application for registration has been made. And provided further that this shall not apply to transient pilots and aircraft, unless such pilots or aircraft are engaged in temporary exhibitions and carrying of passengers for hire from a base within the limits of the Commonwealth of Kentucky, nor to pilots and aircraft operating in interstate commerce and not using a point in Kentucky as a base for any operation. Registration fees for the registration provided for in this section shall be charged for at the rate of $5.00 for each aircraft operated in this State, either for hire or otherwise. A registration fee of $5.00 shall be charged for all aircraft pilots operating in this State. The registration of aircraft and aircraft pilots shall be caused to be made annually. The certificate of registration, as required in this section shall be displayed in a conspicuous place on the aircraft or carried in the personal possession of the pilot, as the case may be.

§ 8. All fees collected from the registration of pilots and aircraft under the provisions of section 7 of this act shall be paid into the Treasury of the Commonwealth of Kentucky,

for the benefit of the General expenditure Fund, immediately upon receipt thereof.

There is hereby appropriated out of the General Fund not otherwise appropriated, the sum of $10,000.00 annually to carry out the provisions of this Act.

§ 10. The Air Board of Kentucky shall cause to be inspected all air domes and landing fields of whatsoever nature within the limits of the Commonwealth of Kentucky for the purpose of determining the safety and adequateness of such facilities for the operation of aircraft. It shall be unlawful for any person, firm or corporation to operate any aircraft for hire from any port or landing field of any nature whatsoever if it has been declared unfit for such operation by the Air Board of Kentucky.

§ 11. Nothing in this act shall apply to public aircraft of the Federal Government, or of a State, territory, or possession or of a political subdivision thereof, or to aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft.

§ 12. Any person who violates any provision of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $100.00 or by imprisonment for not more than ninety days, or both: Provided, however, that acts or omissions made unlawful by this act shall not be deemed to include any act or omission which violates the laws or lawful regulations of the United States, but it shall not be necessary to allege or prove, as part of the case for the people, that the defendant is not amenabe, on account of the alleged violation to prosecution under the laws of the United States. That he is amenable to such prosecution shall be matter of defense, unless it affirmatively appear from the evidence adduced by the people.

§ 13. It shall be unlawful for any person, firm or corporation to navigate, or cause to be navigated aircraft within this State except in conformity with the rules and

regulations laid down by the Air Board of Kentucky and in conformity with this Act. And any person who shall, without the consent of the owner, go upon or enter, tamper with, or in any way damage or injure any aircraft shall be guilty of a misdemeanor and shall be punished consistent with the laws of the State.

§ 14. The Air Board of Kentucky is hereby empowered to employ a reasonable and necessary personnel, fix their compensation and prescribe their duties to administer the provisions of this act, and for such purpose the board is authorized to make such regulations as are necessary to execute the functions vested in it by this act.

§ 15. Should any sections of this act be found in conflict with the Constitution of the Commonwealth of Kentucky, such unconstitutionality shall not affect any other section herein.

§ 16. There being an urgent need for the promotion of Aviation in Kentucky and it being considered that this Act should be placed in effect as soon as possible, an emergency is hereby declared, and this Act shall take effect from and after its passage as required by law.

Mr. John Y. Brown offered the following amendment to said bill, viz.:

Amend S. B. 270 in Section 8, line 7, by adding the following: "of which $7,500 shall be used to help counties secure landing fields, provided that said $7,500 shall me matched by county funds and that no one county shall receive more than $300 during any one year."

Said Amendment was disagreed to.

Mr. Houk offered the following Amendment to said bill, viz.:

Amend S. B. 270 in Section 8, line 6, by striking out $10,000 and inserting in lieu thereof, $5,000.

Mr. John Y. Brown offered the following Amendment to the Amendment as offered by Mr Houk, viz.:

Amend the Amendment to S. B. 270 by adding thereto "not more than $2500 of which shall be used as salaries."

Said Amendment to the Amendment was agreed to .

Said Amendment as offered by Mr. Houk and as amended, was then agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. W. Cooper	Virgil Eversole
E. S. Allison	Ben L. Cox	Kelly J. Francis
U. G. Anderson	H. G. Crabtree	John B. Furlong
W. O. Baxter	William J. Curtis	F. A. Gnau
S. A. Blackburn	Winn Davis	H. G. Handmaker
D. C. Bradley	E. C. Dennington	Rev. B. L. Hargrove
T. L. Britton	C. B. Dowling	Robt. L. Horn
John Young Brown	W. C. Dugan	C. E. Houk
John R. Buckman	Thomas Dunn	R. L. Jackson
Dr. R. A. Byers	J. W. Edwards	Grover C. Johnson
Lee Clark	William A. Eimer	J. Roy Johnson
Bradley Combs	J. O. Evans	J. R. Johnston
Elmer Cook	Joseph B. Everhart	M. F. Jordan

A. R. Kincheloe	B. T. Morris	Dorsey Ratliff
John B. Klefot	F. Tyler Munford	Denny P. Smith
Frank LeBus	L. B. Murphy	D. O. Stanley
Martin Light	M. L. Napier	Frank L. Strange
H. R. Marquette	Andrew W. Nichols	E. J. Thomas
B. K. Marshall, Jr.	H. L. Nickell	J. A. Thompson
James A. May	Fred A. Nolte	C. B. Truesdell
Geo. R. McIntosh	Curtis F. Park	L. M. Weathers
Henry Meiman	J. D. Patton	Robert Williams
Clarence Miller	John H. Pickett	
M. F. Moore	John W. Preston	—70

Those who voted in the negative were—

J. Watt Brown	Ralph Gilbert	H. L. Taylor
James A. Campbell	L. B. Hamilton	
Leonard Cook	James I. Peters	—7

Resolved that the title thereto be as aforesaid.

Mr. Dorman of the Rules Committee moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Everhart moved that Mr. Garland Embry be granted an indefinite leave of absence.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 411. An Act concerning the laws of the State and the reports of the Court of Appeals, and distribution and exchange with other states and the United States and the Statutes and Code of Practice furnished courts.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The following persons, by virtue of their respective offices, and the following libraries shall be entitled to copies of the Session Acts of the General Assembly hereafter published to-wit: Members of the General Assembly which passed such acts, treasurer, secretary of state, registrar, circuit judge, commonwealth's and county attorneys, the sheriff of each county, circuit court clerk, county court clerk, county judge and justices of the peace, one copy each; attorney general, four copies, governor and auditor, two copies; librarian, for the use of the senate, ten copies, and for the use of the house of representaitves, thirty copies, the law library of each county, one copy, the federal judge of each district of Kentucky, and the United States Circuit Court of Appeals at Cincinnati, one copy each, the Library of Congress two copies, and the Supreme Court of United States, three copies.

§ 2. One copy of the reports of the decisions of the court of appeals which may be hereafter published and one copy of each pamphlet of the weekly advance sheets, as soon as the same are published and ready for distribution shall be delivered without cost to, the governor, each judge and commissioner of the court of appeals; each circuit judge, the judge of each Federal Court for Kentucky; the librarian of the United States Circuit Court of Appeals, at Cincinnati, the county library of each county.

§ 3. The members of the general assembly shall be entitled to one copy of the journal of each house of the session such member may serve, and each clerk of a county and circuit court shall be entitled to one copy, the governor, two copies, the secretary of state, two copies for the use of his office, the librarian five copies for the use of the senate, and ten copies for the use of the house.

§ 4. The members of the General Assembly, the judges and clerks of each of the state courts, the attorney general, the commonwealth's and county attorneys, and state librarian shall each be entitled to one copy of the acts of congress which may be sent to the state for distribution, when requested.

§ 5. The librarian shall, by correspondence, arrange with the proper official of each state of the United States and of the United States and its territories for the exchange of the acts of the legislatures of such states and of Congress and for the exchange of the published decisions of their courts of intermediate or last resort, and whenever such exchange is agreed upon the librarian shall send to such officer one copy of each of the published decisions of the court of appeals of Kentucky and of the acts of the General Assembly so soon as the same are ready for distribution; and if the published acts of the legislatures or of congress or of the decisions of said courts of those states, and of the United States, are not promptly sent to the librarian, as fast as issued, it shall be his duty to write for the same. The librarian shall keep a record of all books sent to and received from other states and the United States under this section, which record shall be for the use of the court of appeals in directing purchases.

§ 6. When the Statutes or Codes of Practice furnished any court shall be lost, mutilated or torn, the court may procure another copy. The circuit courts shall certify the cost thereof to the auditor of public accounts, who shall issue his warrant on the treasurer for the same; and all other courts shall certify the cost thereof to the fiscal court of the county for payment.

Mr. Handmaker offered the following Amendment to said bill, viz.:

Amend H. B. 411 by inserting in line 12 of Section 1 on page 2 of the printed bill after "Library of Congress" the word "seven" in lieu of the word "two" and by adding to

said section on line 13, and as a part of the last sentence of said section "Kentucky Historical Society, two copies"; and by adding to line 8 of Section 2 on page 2 of the printed bill at the end of said section and as a part of the last sentence thereof "and seven copies each shall be so sent to the Library of Congress, and to the Kentucky Historical Society, two copies," and by adding to line six of section 3 on page 2 of said section and as a part of the last sentence thereof "and the Library of Congress, and the Kentucky Historical Society, two copies each," and by inserting after the word "attorneys" in line 3 of Section 4 on page 2 of the printed bill the words "Kentucky Historical Society."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Elmer Cook	James R. Dorman
E. S. Allison	Leonard Cook	S. J. Douthitt
U. G. Anderson	W. W. Cooper	C. B. Dowling
William B. Ardery	Ben L. Cox	W. C. Dugan
W. O. Baxter	H. G. Crabtree	Thomas Dunn
John R. Buckman	G. Cunningham	J. W. Edwards
Dr. R. A. Byers	William J. Curtis	William A. Eimer
James A. Campbell	J. J. Davis	J. O. Evans
Lee Clark	Winn Davis	J. B. Everhart
Bradley Combs	E. C. Dennington	Kelly J. Francis

John B. Furlong	Fred V. Lucas	James I. Peters
F. A. Gnau	H. R. Marquette	John H. Pickett
L. B. Hamilton	James A. May	John W. Preston
H. G. Handmaker	Henry Meiman	Denny P. Smith
Rev. B. L. Hargrove	Harry J. Meyers	D. O. Stanley
Robt. L. Horn	Clarence Miller	H. L. Taylor
C. E. Houk	M. L. Napier	E. J. Thomas
R. L. Jackson	Andrew W. Nichols	J. A. Thompson
Grover C. Johnson	H. L. Nickell	Dr. Vallandingham
J. R. Johnston	Fred A. Nolte	J. E. Walters
M. F. Jordan	Caleb A. Page	G. W. Wigginton
A. R. Kincheloe	Curtis F. Park	Robert Williams
Frank LeBus	J. D. Patton	—68

Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Rules Committee moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 433. An Act regulating the time for a six-year old child to enter school.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any child who becomes six years of age during any school year shall have the privilege of entering school at the first of the session provided such child will be six years of age within three months of the opening date of the session of school; provided, however, that no board of education shall

by law be compelled to permit any six-year-old child to enter school who has reached its sixth birthday more than three months after the opening of the school session.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The years and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	B. T. Morris
U. G. Anderson	William A. Eimer	L. B. Murphy
William B. Ardery	J. O. Evans	M. L. Napier
W. O. Baxter	Kelly J. Francis	Andrew W. Nichols
D. C. Bradley	John B. Furlong	H. L. Nickell
T. L. Britton	F. A. Gnau	Caleb A. Page
John Young Brown	L. B. Hamilton	Curtis F. Park
J. Watt Brown	H. G. Handmaker	J. D. Patton
John R. Buckman	C. E. Houk	James I. Peters
James A. Campbell	R. L. Jackson	John H. Pickett
Lee Clark	Grover C. Johnson	John W. Preston
Bradley Combs	J. Roy Johnson	W. E. Randall
Leonard Cook	M. F. Jordan	Dorsey Ratliff
W. W. Cooper	A. R. Kincheloe	Denny P. Smith
Ben L. Cox	Frank LeBus	D. O. Stanley
William J. Curtis	Martin Light	H. L. Taylor
Winn Davis	B. K. Marshall, Jr.	J. A. Thompson
E. C. Dennington	James A. May	Dr. Vallandingham
James R. Dorman	Henry Meiman	J. E. Walters
S. J. Douthitt	Harry J. Meyers	G. W. Wigginton
C. B. Dowling	Clarence Miller	Robert Williams
W. C. Dugan	M. F. Moore	—65

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled.

S. B. 59. An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth and such amendments as may have been made to same as provided by Section 258 of the present Constitution of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Common-Commonwealth of Kentucky:

That, whereas, at the regular session of the General Assembly of Kentucky held in the year 1928, chapter 47 of the Session Acts, as published was enacted by the General Assembly of the Commonwealth of Kentucky, which is in words and figures as follows, to-wit:

"CHAPTER 47.

"An Act providing for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth, and such amendments as may have been made to same as provided by Section 258 of the present Constitution of Kentucky.

"Be it enacted by the General Assembly of the Commonwealth of Kentucky:

"Section 1. That the sense of the People of the State as to the necessity and expediency of calling a convention for the purpose of revising or amending the present Constitution, and such amendments as may have been made to the same, shall be taken as herein provided and as provided by section two hundred and fifty-eight (258) of the present Constitution of Kentucky.

"Section 2. When this Act is passed at the present session of the General Assembly by a majority of all the members elected to each house of the present General Assembly, that is when a majority of all the members of each house shall concur by a yea and nay vote to be entered upon their respective journals, this act shall be spread upon the respective Journals of each house as a law.

"Secion 3. If the next session of the General Assembly shall, in like manner concur in this act after it becomes a law as herein provided, it shall provide for having a poll opened in each voting precinct in this State by the officers provided by law for holding general elections at the next ensuing regular election to be held for State officers of (or) members of the House of Representatives, which does not occur within ninety days from the final passage of such law, at which time and place the votes of the qualified voters shall be taken for and against calling the convention, in the same manner provided by law for taking votes in other State elections. The vote for and against said proposition shall be certified to the Secretary of State by the same officers and in the same manner as in State elections. If it shall appear that a majority voting on the proposition was for calling a convention, and if the total number of votes for the calling of the convention is equal to one-fourth of the number of qualified voters who voted at the last preceding general election in this state, the Secretary of State shall certify the same to the General

Assembly at its next regular session, at which session a law shall be enacted calling a convention to re-adopt, revise or amend the present Constitution of this State, and such amendments as may have been made thereto.

Approved March 19, 1928."

And, whereas, the said law above copied was spread at large upon the respective Journals of the General Assembly for said session, now, therefore,

Be it further enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The present session of the General Assembly, that is the regular session in 1930, does hereby concur in such law.

§ 2. That the sense of the people of the State of Kentucky as to the necessity and expediency of calling a convention for the purpose of revising or amending the present Constitution, and such amendments as may have been made to the same, shall be taken as herein provided, and as provided by section two hundred fifty-eight (258) of the present Constitution of Kentucky.

§ 3. That this Act shall be passed at the present session of the General Assembly by a majority of all the members elected to each house thereof, by a yea and nay vote, to be entered upon their respective Journals and when this Act is so passed it shall be spread upon the respective Journals of each house as a law.

§ 4. A poll shall be opened in each voting precinct in this State by the officers provided by law for holding general elections, at the next ensuing regular election to be held for state officers or members of the House of Representatives, which does not occur within ninety (90) days from the final passage of such law, at which time and place the votes of the qualified voters shall be taken for and against calling the convention, in the same manner provided by law for taking votes in other State elections. The vote for and against said pro-

position shall be certified to the Secretary of State by the same officers and in the same manner as in State elections. If it shall appear that a majority voting on the proposition was for calling a convention, and if the total number of votes for the calling of the convention is equal to one-fourth of the number of qualified voters who voted at the last preceding general election of this State, the Secretary of State shall certify the same to the General Assembly at its next regular session, at which session a law shall be enacted calling a convention to re-adopt, revise, or amend the present Constitution of this State, and such amendments as may have been made thereto.

§ 5. The vote for and against said proposition shall be taken at the regular November election, 1931, when the question submitted to the voters shall be published on the regular ballot in this language: "Are you in favor of calling a convention for the purpose of revising or amending the Constitution of the Commonwealth of Kentucky and such amendments as may have been made to same?" Opposite and to the right of said question shall first be printed the word "yes," with a square opposite that word, and immediately below the word "yes" shall be printed the word "no", with a square opposite that word.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
S. J. Douthitt
C. B. Dowling
W. C. Dugan
Thomas Dunn
J. W. Edwards
William A. Eimer
J. O. Evans
Virgil Eversole
Kelly J. Francis
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Frank LeBus
Martin Light
B. K. Marshall, Jr.
James A. May
Clarence Miller
B. T. Morris
Andrew W. Nichols
H. L. Nickell
Caleb A. Page
Curtis F. Park
J. D. Patton
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
D. O. Stanley
Frank L. Strange
H. L. Taylor
C. B. Truesdell
H. Speed Tye
Dr. Vallandingham
J. E. Walters
G. W. Wigginton
Robert Williams

—67

There voted in the negative—

J. A. Thompson

—1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 188. An Act to repeal and re-enact Chapter 1 of Acts of General Assembly of the Commonwealth of Kentucky at its session of 1928 relating to the maintenance of public ditches, the manner of making assessments and providing funds for that purpose and the duties and powers of the Drainage Commissioner with reference thereto.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter One of the Acts of the General Assembly of the Session of 1928 and being Section 2380-39 of Baldwin's Kentucky Statute Service supplementing Carroll's Kentucky Statutes for 1922, be and is hereby repealed and there is now enacted in lieu thereof the following, to-wit:

Except as herein otherwise provided, all improvements established or constructed under the provisions of this act, as well as all public ditches or drains established or constructed under pre-existing laws, shall be under the control and supervision of the drainage commissioner of the county having jurisdiction of the proceeding ordering the establishment and construction thereof. It shall be the duty of said drainage commissioner to keep all such levees, ditches, drains or like public improvements under his charge, open, free from obstruction and in good repair. To accomplish that end, the said board of drainage commissioners is hereby authorized and empowered to employ men and teams, and to lease, rent, hire or purchase machinery, and employ men to operate same. For the purpose of providing funds to pay the compensation herein provided to the drainage commissioner, his agents, servants and employees outside of that portion of same which shall be provided for and paid out of the original assessment on any drainage district, as well as to pay the cost and expense of repairing, keeping open and looking after the

various public drains, ditches and like improvements under the charge of said commissioner, the lands in each drainage district, which may be established under this act, as well as the lands assessed for each public ditch or system of drainage established under pre-existing laws, shall be and the same are hereby authorized to be assessed, in proportion to the original assessment made against them for the original establishment and construction of such system of drainage.

Provided that where a drainage district has been established, diverting the course of the water, the drainage commissioner may in order to relieve lands taxed and from which water has been diverted, use funds of the district in maintaining the original water course.

Provided, however, that no assessment for such purpose in any one year shall exceed ten per centum (10%) of the original assessment against the land. Provided, that no more than one assessment shall be made in any one year. Provided, further, that no assessment shall be made until the drainage commissioner shall prepare an assessment roll, in duplicate, giving therein the name of the owner or owners of the land to be affected, and the amount proposed to be assessed against each tract of land. Said assessment roll and the duplicate thereof shall be signed by the drainage commissioner and his secretary, and the original thereof shall be kept on file in the office of the drainage commissioner and the duplicate aforesaid, shall be filed with the collector of said tax. Assessments made pursuant hereto shall have the same force and effect and be collected by the sheriff, or other collecting officer, shall be kept separate and deposited by him with the treasurer, who shall keep the accounts for each district or system separate, and all warrants drawn shall specify out of which account it shall be paid, and to which it shall be charged.

§ 2. All laws and parts of laws in conflict herewith are hereby repealed

As there are at present a number of drainage districts in the State in immediate need of repair and maintenance an emergency is hereby declared to exist and this act shall take effect upon its passage.

Said Amendment as offered by the Committee is as follows, viz.:

Amend H. B. 188 in Section 1, line 31, by inserting after the word "may" and before the word "in" the following words "in his discretion."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Elmer Cook	Thomas Dunn
U. G. Anderson	W. W. Cooper	William A. Eimer
W. O. Baxter	Ben L. Cox	Joseph B. Everhart
T. L. Britton	G. Cunningham	Kelly J. Francis
John Young Brown	William J. Curtis	John B. Furlong
J. Watt Brown	Winn Davis	L. B. Hamilton
John R. Buckman	James R. Dorman	C. E. Houk
Dr. R. A. Byers	S. J. Douthitt	R. L. Jackson
James A. Campbell	C. B. Dowling	J. Roy Johnson
Bradley Combs	W. C. Dugan	M. F. Jordan

A. R. Kincheloe	Henry Meiman	H. L. Taylor
John B. Klefot	M. F. Moore	Elmer J. Terry
Frank LeBus	B. T. Morris	E. J. Thomas
Martin Light	L. B. Murphy	Thomas H. Troxel
Fred V. Lucas	Fred A. Nolte	C. B. Truesdell
H. R. Marquette	Caleb A. Page	Dr. Vallandingham
B. K. Marshall, Jr.	J. D. Patton	J. E. Walters
Joseph Martin	John W. Preston	L. M. Weathers
James A. May	Dorsey Ratliff	Robert Williams
Geo. R. McIntosh	D. O. Stanley	—59

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 468. An Act to amend and re-enact section 1 of chapter 143 on page 636 of the Acts of 1920 which was neither approved nor dissapproved by the Governor, said section 1 of chapter 143 being section 2741-E-1 of the Kentucky Statutes, Carroll's Sixth Edition, 1922, said Act being entitled: "An Act providing for oiling of the streets and alleys of cities of the fourth and fifth classes of this Commonwealth," so that power is given to the City Council or Commissioners of cities of the fourth and fifth classes to cause streets and alleys of such cities to be oiled by the spreading of crude or other oil on the surface of such streets and alleys, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets and alleys.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1 of chapter 143, page 636 of the Acts of the General Assembly of 1920, be, and it hereby is, amended by adding to said section 1, immediately after the words "to be oiled," in line 4 of said section 1, following, to-wit: "by the spreading of crude or other oil on the surface of such streets and alleys, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets and alleys," so that said section 1 of said Act, when so amended and re-enacted, shall read as follows, to-wit:

"Section One. The City Council or Commissioners of cities of the fourth and fifth classes are hereby empowered to cause all such of the streets and alleys to be oiled, by the spreading of crude or other oil on the surface of such streets and alleys, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets and alleys, as it deems to the best interest of the general public."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John Young Brown	Elmer Cook
E. S. Allison	John R. Buckman	W. W. Cooper
W. O. Baxter	Dr. R. A. Byers	Ben L. Cox
D. C. Bradley	James A. Campbell	William J. Curtis
T. L. Britton	Bradley Combs	Winn Davis

James R. Dorman	Grover C. Johnson	Fred A. Nolte
S. J. Douthitt	J. Roy Johnson	Caleb A. Page
C. B. Dowling	J. R. Johnston	J. D. Patton
W. C. Dugan	M. F. Jordan	James I. Peters
Thomas Dunn	A. R. Kincheloe	John H. Pickett
William A. Eimer	Frank LeBus	John W. Preston
Joseph B. Everhart	Martin Light	Dorsey Ratliff
Kelly J. Francis	James A. May	Denny P. Smith
John B. Furlong	Henry Meiman	D. O. Stanley
L. B. Hamilton	Harry J. Meyers	E. J. Thomas
Rev. B. L. Hargrove	B. T. Morris	J. A. Thompson
Robt. L. Horn	L. B. Murphy	Dr. Vallandingham
C. E. Houk	Andrew W. Nichols	L. M. Weathers
R. L. Jackson	H. L. Nickell	Robert Williams

—57

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 651. An Act relating to weights and measures of goods or articles packed or sold by count, weight, or measure in this commonwealth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whoever puts up or packs goods or articles sold by weight or count into a sack, bag, barrel, case or package, or whoeever puts up or fills a bottle, barrel, keg, drum,

can or other container with any commodity sold or offered for sale by liquid measure, shall mark thereon in plain letters and figures the exact quantity of the contents thereof in terms of weight, measure, or numerical count. And no person shall sell or offer for sale in this commonwealth any of the above articles except they be marked as above indicated, provided, however, that this act shall not apply to such packages or containers weighed, put up, packed or filled in the presence of the customer.

§ 2. Whoever, with intent to defraud, transfers a brand, mark or stamp placed upon a case or package by a manufacturer to another case or package, or with like intent, repacks a case or package so marked, branded or stamped, with goods or articles of quality or quantity inferior to those of such manufacturer shall be deemed guilty of a violation of this section.

§ 3. Any article or commodity packed and sold by weight shall be sold by net weight only, and no wood, paper, burlap, cord, paraffin or other substances used for wrapping or packing, shall be included as a part of the weight of such commodity sold. Provided, however, that nothing in this section shall prohibit making a reasonable separate charge for any wrapper or container used in packing or preparing such article or commodity for sale, if such be agreed to by the purchasers of such article or commodity at time of sale.

§ 4. Any person, firm, company, corporation or agent, who fails to comply with any provision of this act, shall be fined not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00) for each offense.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	James A. May
E. S. Allison	W. C. Dugan	Henry Meiman
U. G. Anderson	Thomas Dunn	Harry J. Meyers
William B. Ardery	J. W. Edwards	B. T. Morris
W. O. Baxter	William A. Eimer	L. B. Murphy
S. A. Blackburn	J. O. Evans	Andrew W. Nichols
D. C. Bradley	Kelly J. Francis	H. L. Nickell
T. L. Britton	John B. Furlong	Fred A. Nolte
John Young Brown	F. A. Gnau	J. D. Patton
J. Watt Brown	L. B. Hamilton	John H. Pickett
John R. Buckman	H. G. Handmaker	John W. Preston
James A. Campbell	Rev. B. L. Hargrove	Dorsey Ratliff
Lee Clark	Robt. L. Horn	Denny P. Smith
Bradley Combs	C. E. Houk	D. O. Stanley
Elmer Cook	R. L. Jackson	E. J. Thomas
Leonard Cook	Grover C. Johnson	J. A. Thompson
W. W. Cooper	M. F. Jordan	Thomas H. Troxel
Ben L. Cox	John B. Klefot	J. D. Via
G. Cunningham	Frank LeBus	L. M. Weathers
William J. Curtis	H. R. Marquette	G. W. Wigginton
Winn Davis	B. K. Marshall, Jr.	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 620. An Act providing for the beginning of the term of a person convicted of a felony to be the day upon which sentence is passed upon such person by the court in which he was tried.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That hereafter all persons convicted of a felony in this State their punishment being fixed at confinement in the penitentiary for a period of years, shall be allowed upon said term all the time served in jail after the date sentence is pronounced by the court in which conviction is had, provided, however, this shall not apply to sentences pronounced upon persons filing an appeal to the court of appeals, in the office of the clerk of said court.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	J. Watt Brown	J. J. Davis
U. G. Anderson	John R. Buckman	Winn Davis
William B. Ardery	Dr. R. A. Byers	E. C. Dennington
W. O. Baxter	James A. Campbell	S. J. Douthitt
S. A. Blackburn	Lee Clark	C. B. Dowling
D. C. Bradley	W. W. Cooper	W. C. Dugan
T. L. Britton	Ben L. Cox	Thomas Dunn
John Young Brown	H. G. Crabtree	J. W. Edwards

William A. Eimer	Grover C. Johnson	B. T. Morris
J. O. Evans	J. R. Johnston	M. L. Napier
Kelly J. Francis	M. F. Jordan	H. L. Nickell
John B. Furlong	A. R. Kincheloe	Fred A. Nolte
F. A. Gnau	Frank LeBus	J. D. Patton
L. B. Hamilton	Martin Light	John H. Pickett
H. G. Handmaker	Joseph Martin	John W. Preston
Rev. B. L. Hargrove	James A. May	Dorsey Ratliff
J. F. Harrison	Geo. R. McIntosh	Denny P. Smith
Robt. L. Horn	Clarence Miller	H. L. Taylor
C. E. Houk	Russell O. Miller	Dr. Vallandingham
R. L. Jackson	M. F. Moore	G. W. Wigginton

—60

Those who voted in the negative were—

Elmer Cook Bradley Combs —2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 742. An Act to authorize the State Board of Charities and Corrections to lease and equip additional lands and buildings to be used as dormitories and workshops for the excess prison population of the Reformatory at Frankfort, and the State Penitentiary at Eddyville, to provide payment therefor and to authorize the removal of such excess population to the temporary quarters provided for herein and to authorize the employment of the inmates at labor therein.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The State Board of Charities and Corrections is authorized to lease and equip in the County of Franklin, or adjacent thereto, suitable land and buildings to be used as temporary quarters for the confinement of convicts heretofore or hereafter sentenced to confinement in the State Penitentiary, or in the State Reformatory. Said lease or leases shall be of buildings already erected in the County of Franklin, or within a radius of ten miles of the State Capitol.

The management, control and custody of the dormitories, work-shops and lands herein authorized to be leased, and of all convicts confined and employed therein shall be lodged in the Superintendent of the Reformatory at Frankfort; the deputies, clerks, guards and employees of the officials of the Reformatory at Frankfort shall perform the same duties and be under the same official obligation of service to convicts confined in the temporary quarters herein provided for as to convicts in the State Reformatory.

The State Board of Charities and Corrections, in leasing buildings and lands herein provided for, shall lease same in as close proximity to the State Reformatory at Frankfort as practical to enable the Superintendent of the State Reformatory and his subordinate officials to manage and control them with the least outlay of time and expense.

The dormitories, workshops and dining rooms leased hereunder shall be surrounded by stockades of wood or wire or other suitable material to safely confine convicts therein and prevent their escape therefrom.

The State Board of Charities shall be authorized to utilize inmate labor in the remodeling or repair of buildings so acquired to make them suitable for confinement of convicts therein. The Board shall require as much of the labor of remodeling said building to be performed by convict labor as

it is possible to do to cut down the expense of remodeling and equipping such buildings.

The Board of Charities and Corrections shall enter into a contract for the lease of said buildings and lands for no longer period than ten years; rent therefor to be paid monthly or quarterly. Said rental and the cost of equipping and remodeling said building shall be paid out of the current earnings of the penal institutions and shall be paid to the lessor or contractor or materialmen in the same manner as other accounts payable of the penal institutions are paid.

The Board is authorized to transfer from either the State Reformatory or the State Penitentiary to the temporary quarters acquired by the Board, any convict sentenced to confinement in either institution.

The Board shall be authorized to employ said convicts in agriculture on any land that may be acquired with the temporary quarters herein provided for, but no land shall be rented or cultivated except it adjoins the dormitories so acquired and the convicts shall be confined in such dormitories each night.

The Board of Charities and Corrections is authorized to employ the convicts confined in the quarters herein authorized to be leased in such gainful occupations as in the judgment of the Board may be proper and will help defray the cost of the maintenance of such institutions. The Board is authorized to enter into contracts for such labor, upon such terms, for such length of time, and in such manner as in the discretion of the Board is for the best interests of the convicts and the Commonwealth.

Because of the crowded condition of the penal institutions an emergency is declared to exist, and this act shall become a law and become effective from and after its passage and approval by the Governor.

All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Geo. R. McIntosh
E. S. Allison	W. C. Dugan	Henry Meiman
U. G. Anderson	Thomas Dunn	Harry J. Meyers
W. O. Baxter	J. W. Edwards	M. F. Moore
S. A. Blackburn	William A. Eimer	B. T. Morris
John Young Brown	J. O. Evans	L. B. Murphy
J. Watt Brown	Joseph B. Everhart	Fred A. Nolte
John R. Buckman	Kelly J. Francis	Caleb A. Page
James A. Campbell	John B. Furlong	J. D. Patton
Lee Clark	L. B. Hamilton	John H. Pickett
Bradley Combs	Rev. B. L. Hargrove	Dorsey Ratliff
Elmer Cook	Robt. L. Horn	Denny P. Smith
W. W. Cooper	C. E. Houk	D. O. Stanley
Ben L. Cox	R. L. Jackson	Elmer J. Terry
H. G. Crabtree	Grover C. Johnson	E. J. Thomas
G. Cunningham	J. Roy Johnson	J. A. Thompson
William J. Curtis	M. F. Jordan	Thomas H. Troxel
Winn Davis	Frank LeBus	Dr. Vallandingham
E. C. Dennington	H. R. Marquette	J. E. Walters
James R. Dorman	B. K. Marshall, Jr.	G. W. Wigginton
S. J. Douthitt	James A. May	Robert Williams

—63

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 658. An Act to provide pensions for indigent public school teachers over the age of seventy years who have taught in the public schools for thirty-five years or more, defining indigent persons within the meaning of the Act. Providing for the administration of the Act and making an appropriation to carry out its provisions.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kenutcky:

§ 1. Any person over the age of seventy years who is a bona fide resident of this Commonwealth, who has taught in the public schools of this state for thirty-five years or more, and who is indigent as hereinafter defined, shall, on proper application and showing be allowed and paid the sum of thirty dollars per month, payable quarterly out of the State Treasury.

§ 2. A person shall be deemed indigent within the meaning of this Act, who does not own property of the value of Twenty-five Hundred dollars, or whose income from all sources does not amount to Five hundred dollars per year.

§ 3. The Superintendent of Public Instruction shall be charged with the duty of administering this act, and he may employ an assistant at a salary not to exceed three thousand dollars per annum, and one stenographer as a clerk, who shall receive a salary not to exceed fifteen hundred dollars per annum. The assistant may perform and do any act and discharge any duty that may be done by the Superintendent of Public Instruction in administering this law. The said Superintendent shall cause to be prepared application blanks

to be furnished applicants upon request, and shall prepare and furnish instructions for making out said application and making proof in support of same. The Superintendent of Public Instruction or his assistant shall have the power to decide any and all questions arising in the administration of this Act, and his decision shall be final, except that any applicant who may feel aggrieved by the decision of the Superintendent of Public Instruction may appeal from any decision on an application to the State Board of Education, whose duty it shall be to hear and determine said appeal and the decision of said Board shall be final. On the blanks furnished by the Superintendent of Public Instruction the applicant shall make out or cause to be made out and sign and swear to an application setting forth the facts necessary to show such applicant entitled to a pension under this act, and shall furnish by affidavits of other persons or by certified copies of record such other proof in support of said application as the superintendent may require.

§ 4. For the purpose of carrying out the provisions of this Act there is hereby appropriated out of the general funds of the treasury for the year 1930, the sum of thirty thousand dollars, and there is appropriated for the year 1931 a like sum. The amount so appropriated shall be known as the indigent teachers' pension fund. Thereafter the legislature shall make necessary appropriations for carrying out the provisions of this act. The superintendent of Public Instruction will furnish to the State Budget Commission all necessary information to enable said Commission to make proper recommendations to the Legislature.

§ 5. When a pension is allowed under this Act a pension certificate shall be issued to the applicant, and the pensioner shall quarterly thereafter sign and swear to a voucher furnished by the Superintendent of Public Instruction, and return same to said official, who shall prepare the quarterly pension roll showing the name and post-office address and the amount due each pensioner, and shall file same and all

vouchers with the Auditor. The Auditor shall issue his warrant upon the treasurer for the respective sums due pensioners and the treasurer shall forward checks to each pensioner to the address given.

§ 6. Any indigent teachers' pension fund remaining unexpended at the end of any fiscal year shall revert to the general fund in the treasury.

Mr. Houk offered the following Amendment to said bill, viz.:

Amend H. B. 658 on page 1 by striking out in line 3 the word "thirty-five" and insert in lieu thereof the word "thirty"

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Dr. R. A. Byers	G. Cunningham
U. G. Anderson	James A. Campbell	William J. Curtis
William B. Ardery	Lee Clark	James R. Dorman
W. O. Baxter	Bradley Combs	C. B. Dowling
S. A. Blackburn	Elmer Cook	W. C. Dugan
D. C. Bradley	W. W. Cooper	Thomas Dunn
T. L. Britton	Ben L. Cox	William A. Eimer
John R. Buckman	H. G. Crabtree	Joseph B. Everhart

Virgil Eversole	Fred V. Lucas	J. D. Patton
Kelly J. Francis	H. R. Marquette	John H. Pickett
John B. Furlong	B. K. Marshall, Jr.	Dorsey Ratliff
H. G. Handmaker	James A. May	Denny P. Smith
Rev. B. L. Hargrove	Geo. R. McIntosh	D. O. Stanley
Robt. L. Horn	Henry Meiman	H. L. Taylor
C. E. Houk	Harry J. Meyers	Elmer J. Terry
R. L. Jackson	M. F. Moore	E. J. Thomas
Grover C. Johnson	F. Tyler Munford	Thomas H. Troxel
J. Roy Johnson	L. B. Murphy	J. D. Via
Theron M. Johnson	M. L. Napier	J. E. Walters
A. R. Kincheloe	Fred A. Nolte	Robert Williams
Frank LeBus	Caleb A. Page	—62

Those who voted in the negative were—

S. J. Douthitt	M. F. Jordan	J. A. Thompson
L. B. Hamilton		—4

Resolved that the title thereof be as aforesaid.

Mr. Ardery moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 584. An Act conferring authority to add suburban territory to the board of education of third class city's jurisdiction, and for the purpose of paying expenses.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whenever it becomes desirable for the board of education of a city of the third class to extend the boundary for

school purposes beyond the city limits, the qualified voters in such territory shall prepare a petition in duplicate, setting forth the names of all the parties to be changed, and defining the proposed change in the boundary of the said school district. Said petition shall be signed by a majority of the voters in said territory, and a copy shall be filed with the board of education of such city, and also with the county board of education of the county in which said city is located. Upon the approval of said petition by the board of education of such city and by the county board of education of such county, each board shall make an order on its respective record books providing for the change, and the change shall become effective at once.

Whenever it becomes desirable for the board of education of a city of the third class to exclude from the boundary for school purposes territory beyond the city limits or to reduce the boundary for school purposes any territory beyond the city limits or to reduce the boundary for school purposes so as to make the same co-extensive with the boundary of the city, the qualified voters in such territory to be excluded shall prepare a petition in duplicate setting forth the names of all the parties to be changed and defining the proposed change in the boundary of said school district. Said petition shall be signed by a majority of the voters in said territory and a copy shall be filed with the board of education of such city and also with the county board of education of the county, in which said city is located. Upon the approval of said petition by the board of education of such city and by the county board of education of such county, each board shall make an order on its respective record books providing for the change and the change shall become effective at once.

The rate of taxation by the general council or board of commissioners and by the fiscal court in such school districts shall be the same in all cases.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Frank LeBus
E. S. Allison	W. C. Dugan	Martin Light
U. G. Anderson	Thomas Dunn	Joseph Martin
William B. Ardery	J. W. Edwards	James A. May
W. O. Baxter	William A. Eimer	Henry Meiman
S. A. Blackburn	J. O. Evans	Russell O. Miller
D. C. Bradley	Virgil Eversole	M. F. Moore
T. L. Britton	Kelly J. Francis	B. T. Morris
John Young Brown	John B. Furlong	F. Tyler Munford
John R. Buckman	Ralph Gilbert	Fred A. Nolte
Dr. R. A. Byers	F. A. Gnau	J. D. Patton
James A. Campbell	L. B. Hamilton	John H. Pickett
Lee Clark	H. G. Handmaker	Dorsey Ratliff
Bradley Combs	Rev. B. L. Hargrove	Denny P. Smith
Elmer Cook	J. F. Harrison	D. O. Stanley
Leonard Cook	C. E. Houk	H. L. Taylor
W. W. Cooper	R. L. Jackson	Elmer J. Terry
Ben L. Cox	Grover C. Johnson	E. J. Thomas
H. G. Crabtree	Theron M. Johnson	Thomas H. Troxel
G. Cunningham	J. R. Johnston	C. B. Truesdell
William J. Curtis	M. F. Jordan	H. Speed Tye
Winn Davis	A. R. Kincheloe	L. M. Weathers
E. C. Dennington	John B. Klefot	G. W. Wigginton

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 583. An Act to amend Section 3469A-1 of Carroll's Kentucky Statutes relating to bond issue for school purposes in cities of the third class and providing for popular election and the use of the proceeds and a tax levy to pay.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whenever the board of education shall deem it necessary for proper accommodation of the schools of such city to purchase a site or sites, to erect, remodel, repair or equip school buildings, or for any or all of these purposes, and the annual funds raised from other sources are not sufficient to accomplish said purpose or purposes and a bond issue is necessary, said board is hereby authorized and empowered to order an election and submit to the voters of their city the question whether or not the board of education thereof shall issue bonds to any amount it deems sufficient, subject to the limitations provided by Sections 157 and 158, of the constitution of this state, for the purpose of providing suitable grounds and school buildings and equipment; provided, that due notice of said election shall be given by advertising in the newspapers of said city for thirty days immediately preceding the election, stating the time, place and hours of said election. The board shall appoint two judges, a sheriff, and a clerk to hold said election in each precinct in the city, who shall be duly sworn before acting, and shall be qualified electors and residents of the city from which they are appointed. On the day set apart for the election, the officers so appointed shall open a poll in each precinct of said city and

shall ask of each voter duly qualified: "Are you in favor of the issuing of bonds to the amount of $——— for the purpose of providing suitable grounds, school buildings and equipment for said city?" And the clerk shall record the answer "Yes" or "No." If two-thirds of the voters voting at said election vote in favor of the issue of the bonds, they shall, when so issued, be placed under the control of the board of education.

Whenever the boundary of the school district does not coincide with the boundary of the city and it is necessary to take a vote on a bond issue, it shall be the duty of the county judge of the county in which said city is located to call an election for such bond issue on the day set apart for said election in the resolution so adopted by the said board of education for such outside territory. In that event it shall be the duty of the county judge of the county or counties where such city is located to perform all the duties imposed upon the board of education as set out in this section pertaining to the conducting of said election.

The board of education shall determine when and at what price and how the bonds shall be sold; provided, that no such bonds be sold for less than par; nor shall they bear greater interest than six per cent (6) per annum. As the bonds are sold their proceeds shall be placed to the credit of the board of education in the same depository which is selected for its other funds, but shall be kept in a separate account and shall be used only for the purpose or purposes for which said bonds were issued. The bonds so issued shall be designated "School Improvement Bonds," and the order shall provide the date and maturity of such bonds, the rate of interest they shall bear, and the total amount to be issued; and the order shall also contain the necessary details in reference to the execution and delivery of said bonds, their denominations, the coupons to be annexed, the tax to be levied to pay the interest, and the sinking fund to retire such bonds at maturity.

It shall be the duty of the general council or the board of commissioners, and of the fiscal court of said county where territory outside of said city is embraced in said district, in addition to the levy made for the maintenance of the schools as hereinbefore provided, to levy annually in their respective tax levies a rate that will raise a sum that will be sufficient to pay the interest and create a sinking fund for the payment of said bonds at maturity. And the said taxes as collected shall be paid to the board of education or to its authorized agent, which shall create a sinking fund to take care of said bonds and pay the interest thereon.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Ben L. Cox	H. G. Handmaker
U. G. Anderson	H. G. Crabtree	J. F. Harrison
William B. Ardery	William J. Curtis	Robt. L. Horn
W. O. Baxter	J. J. Davis	C. E. Houk
S. A. Blackburn	E. C. Dennington	R. L. Jackson
D. C. Bradley	S. J. Douthitt	Theron M. Johnson
T. L. Britton	C. B. Dowling	J. R. Johnston
John Young Brown	W. C. Dugan	M. F. Jordan
John R. Buckman	Thomas Dunn	Frank LeBus
Dr. R. A. Byers	William A. Eimer	Martin Light
James A. Campbell	Virgil Eversole	Fred V. Lucas
Bradley Combs	Kelly J. Francis	James A. May
Leonard Cook	John B. Furlong	Henry Meiman
W. W. Cooper	F. A. Gnau	Harry J. Meyers

Clarence Miller	J. D. Patton	E. J. Thomas
M. F. Moore	James I. Peters	C. B. Truesdell
B. T. Morris	John H. Pickett	H. Speed Tye
F. Tyler Munford	John W. Preston	Dr. Vallandingham
M. L. Napier	W. E. Randall	J. E. Walters
H. L. Nickell	Frank L. Strange	G. W. Wigginton
Fred A. Nolte	Denny P. Smith	

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 467. An Act to amend and re-enact section 1 of chapter 106, page 535 of the Acts of 1920, which was neither approved nor disapproved by the Governor, said sub-section 10 (1) of section 3704 of the Kentucky Statutes, Carroll's Sixth Edition, 1922, said Act being entitled: "An Act providing for the oiling of the streets of towns of the sixth class of this Commonwealth," so that power is given the board of trustees of towns of the sixth class to cause streets of such cities to be oiled by the spreading of crude or other oil on the surface of such streets, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets.

That section 1 of chapter 106, page 535 of the Acts of the General Assembly of 1920, be, and it hereby is, amended by inserting in said section 1, immediately after the words "to be oiled" at the end of line 3 of said section 1, the following, to-wit:

"by the spreading of crude or other oil on the surface of such streets, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets," so that said section 1 of said Act, when so amended and re-enacted, shall read as follows, to-wit:

"Section 1. That the board of trustees of towns of the sixth class of this Commonwealth are hereby empowered to cause all or any such streets to be oiled, by the spreading of crude or other oil on the surface of such streets, or by spreading of crude or other oil mixed with crushed rock or screenings or other like substances on such streets, as is deemed to be to the best interest and welfare of the general public."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. W. Cooper	Virgil Eversole
E. S. Allison	Ben L. Cox	Kelly J. Francis
U. G. Anderson	H. G. Crabtree	John B. Furlong
William B. Ardery	J. J. Davis	Ralph Gilbert
W. O. Baxter	Winn Davis	F. A. Gnau
S. A. Blackburn	E. C. Dennington	L. B. Hamilton
T. L. Britton	S. J. Douthitt	H. G. Handmaker
John Young Brown	C. B. Dowling	Rev. B. L. Hargrove
John R. Buckman	W. C. Dugan	Robt. L. Horn
James A. Campbell	Thomas Dunn	C. E. Houk
Lee Clark	J. W. Edwards	Grover C. Johnson
Bradley Combs	William A. Eimer	J. Roy Johnson
Elmer Cook	J. O. Evans	Theron M. Johnson

M. F. Jordan	Andrew W. Nichols	Elmer J. Terry
A. R. Kincheloe	Curtis F. Park	E. J. Thomas
John B. Klefot	James I. Peters	J. A. Thompson
Frank LeBus	John H. Pickett	Thomas H. Troxel
Martin Light	John W. Preston	H. Speed Tye
Joseph Martin	W. E. Randall	J. E. Walters
James A. May	Dorsey Ratliff	L. M. Weathers
Henry Meiman	D. O. Stanley	G. W. Wigginton
Russell O. Miller	Frank L. Strange	Robert Williams
F. Tyler Munford	H. L. Taylor	—68

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 208. An Act to establish and maintain a public employment service in connection with the Department of Labor and providing an appropriation to carry out the objects of this act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in order to promote the establishment and maintenance of a public employment service for men, women and minors seeking employment and for employers desiring employees there is hereby created in the Department of Labor, a "Kentucky Public Employment Service."

§ 2. It shall be the duty of the chief officer of the Department of Labor, and, he shall have the power, jurisdiction and authorityy by and with the consent of the Commissioner of Agriculture, Labor and Statistics;

(a) To establish and conduct employment offices in the State, where, in the opinion of the chief officer, such action may be deemed advisable and expedient, to in all proper ways, within the limitations of this act, bring together employers seeking employees and applicants for employment seeking employers; to make known the opportunities for self employment in the State; to devise and adopt the most efficient means to avoid unemployment; to co-operate with existing State and Federal agencies in extending vocational guidance to minors seeking employment;

(b) To establish and maintain such sections of the employment service as will best serve the public welfare.

(c) To render especial assistance to physically handicapped persons seeking employment in order to help them maintain or become self supporting of themselves and their dependents by wages or by means of earning their maintenance;

(d) To employ such assistance that is necessary to conduct the work of the unemployment service and to incur such expense as may be necessary to carry out the duties and provisions of the act; Provided, compensation for person in charge of an employment office shall not exceed two hundred dollars ($200.00) per month and clerical assistants shall not exceed one hundred and twenty-five dollars ($125.00) per month; further provided, such compensation shall be paid monthly, and further provided, all expenses shall be subject to approval of the chief officer of the Department of Labor and the Commissioner of Agriculture, Labor and Statistics.

§ 3. Said employment service shall make public, through newspapers and other media, information as to situations it may have applicants to fill, and establish relations with employers for the purpose of supplying demands for labor;

shall collect, collate, and publish statistical and other information relating to the work under its jurisdiction; investigate economic developments and the extent and causes of unemployment, and remedies therefor, within and without the State, with the view of preparing for the information of the General Assembly such facts as in its opinion may make further legislation desirable. The employment service is hereby directed to co-operate with the local county agricultural farmer agents and farmers' organizations in ascertaining needs of labor and distribution among farming classes.

§ 4. The chief officer of the Department of Labor, by and with the consent of the Commissioner of Agriculture, Labor and Statistics, is hereby authorized to enter into agreement with the governing authorities of any municipality, county, civic organization or school in the State for such period of time as may be deemed desirable for the purpose of establishing and maintaining local employment offices and for the extension of vocational guidance to minors. Said chief officer is likewise authorized to appoint advisory committees to assist in conducting a satisfactory and efficient public employment service, and, to enter into such co-operative agreement as may be deemed desirable with the United States Employment Service, or such bureau of the United States Department of Labor as the secretary thereof may hereafter designate, or other Federal agency Congress may hereafter authorize, for the purpose of securing financial aid from the United States government for the establishment and maintenance of a public employment service in Kentucky, and the extension of vocational guidance to minors.

§ 5. No fee, charge or other perquisite shall be accepted or exacted for any service rendered applicant-worker or employer by said public employment service.

§ 6. That for the purpose of carrying out the provisions of this act, there is hereby appropriated out of the general funds of the State Treasury the sum of ten thousand dollars ($10,000) per annum.

Mr Marquette offered the following Amendment to said bill, viz.:

Amend H. B. 208 by striking out Sec. 6, pertaining to provisions made for appropriations.

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	E. C. Dennington	J. R. Johnston
E. S. Allison	James R. Dorman	M. F. Jordan
U. G. Anderson	S. J. Douthitt	A. R. Kincheloe
William B. Ardery	C. B. Dowling	John B. Klefot
W. O. Baxter	W. C. Dugan	Frank LeBus
D. C. Bradley	Thomas Dunn	Martin Light
T. L. Britton	William A. Eimer	H. R. Marquette
John Young Brown	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	Kelly J. Francis	Joseph Martin
Lee Clark	John B. Furlong	James A. May
Bradley Combs	Ralph Gilbert	Geo. R. McIntosh
Elmer Cook	F. A. Gnau	Henry Meiman
Leonard Cook	L. B. Hamilton	Harry J. Meyers
W. W. Cooper	Robt. L. Horn	Russell O. Miller
Ben L. Cox	C. E. Houk	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris
J. J. Davis	J. Roy Johnson	Andrew W. Nichols
Winn Davis	Theron M. Johnson	H. L. Nickell

Curtis F. Park	Denny P. Smith	Thomas H. Troxel
J. D. Patton	D. O. Stanley	C. B. Truesdell
James I. Peters	Frank L. Strange	Dr. Vallandingham
John H. Pickett	H. L. Taylor	J. E. Walters
W. E. Randall	Elmer J. Terry	G. W. Wigginton
Dorsey Ratliff	E. J. Thomas	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 123. An Act to amend Sec. 11, Art. 6, of an Act entitled An Act for the government of cities of the 2nd Class in the Commonwealth of Kentucky.

H. B. 126. An Act to amend and re-enact Sec. 1938 a-4, Kentucky Statutes, Carroll's 1922 Edition, as amended by Chapter 68 of the Acts of the General Assembly of 1928 changing the closed season on squirrels from the 16th of October to the 13th day of June.

H. Res. 26. Resolution authorizing the personal representatives of Walter R. Ray to file suit against the Commonwealth.

S. B. 57. An Act creating a Forestry Department composed of Commissioner of Agriculture.

S. B. 71. An Act to amend Sec. 4356t-2 of 1928 supplement to Carroll's 1922 Kentucky Statutes, relating to executive inspector of State Highway Commission.

S. B. 82. An Act to amend Sec. 1954b-11, Kentucky Statutes, Sixth Edition, 1922.

S. B. 90. An Act to amend Sections 20 and 25 of an Act entitled "An Act concerning Guardians" approved December 3, 1892.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that the bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills which originated in the House to the Senate.

After a time the Enrolling Clerk of this House delivered the original and enrolled copies of said House bills duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills and resolution which originated in the House to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. LeBus of the Committee on Rules moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, MARCH 12, 1930.

The House was opened with prayer by the Reverend J. A. McCammon of the Church of the Nazarine of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock	J. O. Evans	Russell O. Miller
E. S. Allison	Joseph B. Everhart	M. F. Moore
U. G. Anderson	Virgil Eversole	B. T. Morris
William B. Ardery	Kelly J. Francis	F. Tyler Munford
W. O. Baxter	John B. Furlong	L. B. Murphy
S. A. Blackburn	Ralph Gilbert	M. L. Napier
D. C. Bradley	F. A. Gnau	H. L. Nickell
T. L. Britton	L. B. Hamilton	Fred A. Nolte
John Young Brown	H. G. Handmaker	Caleb A. Page
J. Watt Brown	Rev. B. L. Hargrove	Curtis F. Park
John R. Buckman	J. F. Harrison	J. D. Patton
Dr. R. A. Byers	Robt. L. Horn	James I. Peters
James A. Campbell	C. E. Houk	John H. Pickett
Lee Clark	R. L. Jackson	John W. Preston
Bradley Combs	Grover C. Johnson	Dorsey Ratliff
Elmer Cook	J. Roy Johnson	Denny P. Smith
Leonard Cook	Theron M. Johnson	D. O. Stanley
W. W. Cooper	J. R. Johnston	Frank L. Strange
Ben L. Cox	M. F. Jordan	H. L. Taylor
H. G. Crabtree	A. R. Kincheloe	Elmer J. Terry
G. Cunningham	John B. Klefot	E. J. Thomas
William J. Curtis	Frank LeBus	J. A. Thompson
J. J. Davis	Martin Light	Thomas H. Troxel
Winn Davis	Fred V. Lucas	C. B. Truesdell
E. C. Dennington	H. R. Marquette	H. Speed Tye
James R. Dorman	B. K. Marshall, Jr.	Dr. Vallandingham
S. J. Douthitt	Joseph Martin	J. D. Via
C. B. Dowling	James A. May	J. E. Walters
W. C. Dugan	Geo. R. McIntosh	L. M. Weathers
Thomas Dunn	Henry Meiman	G. W. Wigginton
J. W. Edwards	Harry J. Meyers	Robert Williams
William A. Eimer	Clarence Miller	J. S. Milliken, Spkr.

Mr. LeBus of the Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. LeBus of the Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. LeBus of the Rules Committee moved that when the hour of twelve o'clock Meridian arrived today, that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

Mr. Hargrove moved that Mr. Harrison be granted a leave of absence.

Said motion was agreed to.

Mr. Weathers moved that Mr. Via be granted a leave of absence.

Said motion was agreed to.

A message was received from the Senate announcing that they had refused to concur in an Amendment which originated and was adopted in this House to a bill which originated in the Senate, entitled:

S. B. 149. An Act regulating the introduction of evidence in prosecutions for carnally knowing a female between the ages of 16 and 18 years.

(For bill see House Journal of March 10)

(For Amendment see House Journal of March 10)

And request the House to recede from said Amendment.

Mr. Gilbert moved that the House do refuse to recede from said Amendment.

Said motion was disagreed to.

Mr. Francis moved that the House do now recede from said Amendment.

Said motion was agreed to.

Thereupon the House receded from said amendment and said bill was passed without an amendment thereto.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. O. Evans	Clarence Miller
E. S. Allison	Joseph B. Everhart	M. F. Moore
William B. Ardery	Virgil Eversole	M. L. Napier
W. O. Baxter	Kelly J. Francis	H. L. Nickell
S. A. Blackburn	John B. Furlong	Fred A. Nolte
Dr. R. A. Byers	H. G. Handmaker	Caleb A. Page
Bradley Combs	C. E. Houk	Curtis F. Park
Leonard Cook	R. L. Jackson	J. D. Patton
Ben L. Cox	A. R. Kincheloe	W. E. Randall
G. Cunningham	John B. Klefot	Denny P. Smith
William J. Curtis	Frank LeBus	H. L. Taylor
J. J. Davis	H. R. Marquette	E. J. Thomas
Winn Davis	B. K. Marshall, Jr.	C. B. Truesdell
James R. Dorman	Joseph Martin	L. M. Weathers
C. B. Dowling	James A. May	G. W. Wigginton
W. C. Dugan	Geo. R. McIntosh	Robert Williams
Thomas Dunn	Henry Meiman	
William A. Eimer	Harry J. Meyers	—52

Those who voted in the negative were—

U. G. Anderson	S. J. Douthitt	Fred V. Lucas
D. C. Bradley	Ralph Gilbert	Russell O. Miller
T. L. Britton	F. A. Gnau	F. Tyler Munford
John Young Brown	L. B. Hamilton	L. B. Murphy
J. Watt Brown	Rev. B. L. Hargrove	John H. Pickett
John R. Buckman	Robt. L. Horn	Dorsey Ratliff
James A. Campbell	Grover C. Johnson	D. O. Stanley
Lee Clark	J. Roy Johnson	Frank L. Strange
Elmer Cook	Theron M. Johnson	J. A. Thompson
W. W. Cooper	J. R. Johnston	H. Speed Tye
H. G. Crabtree	M. F. Jordan	Dr. Vallandingham
E. C. Dennington	Martin Light	J. E. Walters

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Mr. LeBus of the Rules Committee moved that the vote by which said bill was passed, the House having receded from its amendment as per the Senate's request, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred to Committee on Rules, viz.:

By Mr. Davis.

H. B. 768. An Act establishing as a part of the Primary system of state Highways a road beginning at Brownsville, in Edmonson County, and running thence via Steep Hollow, Mt. Zion School, and Parish Mill, to Pine Grove Church, in Edmonson County.

By Mr. Davis.

H. B. 769. An Act establishing as a part of the primary system of state highways a road beginning at Dripping

Springs Church, in Edmonson County, and running thence via Pig, Elko, and Sloane Crossing, to Mammoth Cave, in Edmonson County.

By Mr. Davis.

H. B. 770. An Act establishing as a part of the primary system of state highways a road beginning at Chalybeate, in Edmonson County, and running thence via Chalybeate School and Pine Grove Church to Boiling Springs.

By Mr. Edwards:

H. B. 771. An Act appropriating $2,914.83 to the Kentucky State Park Commission for the purpose of paying the indebtedness incurred by said Commission in excess of its budget appropriation for the maintenance, operation, and improvement of the Blue and Gray State Park, in Todd County, Kentucky, for the fiscal years ended June 30, 1927 and 1928.

By Mr. Harry J. Meyers:

H. B. 772. An Act making an appropriation to beautify the grounds at the Jefferson Davis Memorial Park.

By Mr. L. B. Hamilton:

H. B. 773. An Act authorizing the Board of Sinking Fund Commissioners of the State of Kentucky to purchase about Eight (8) acres of land, known as the Busam Place, adjoining the burial ground of the Frankfort Reformatory, Franklin County, Kentucky.

Mr. LeBus of the Committee on Rules reported bills and resolutions of the following titles, viz.:

H. B. 593. An Act to enable a graded school to increase its boundary and take in adjacent territory upon the written petition of a citizen or citizens owning real estate near or adjacent the boundary line of said graded school if said real estate to be so taken in is located in the same County as said graded school.

H. B. 681. An Act relating to the writing of bonds and charging premium therefor.

H. B. 679. An Act to regulate the occupation of Hairdressers and cosmetologists and for licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners.

H. B. 706. An Act to amend Section 1922a-33a, 1928 Supplement of Carroll's 1922 Edition of Kentucky Statutes.

S. B. 176. An Act relating to tax collector in cities of the fourth class.

S. B. 222. An Act fixing the time in which an action shall be commenced for the purpose of setting aside a tax deed, executed by the sheriff or auditor of Public Accounts to the purchaser of real property at a tax sale, etc.

S. B. 253. An Act to assist ex-service men and women of Kentucky who do not come under the provisions of the Act known as the Kentucky Disabled Ex-Service Men's Board in obtaining from the Federal Government the relief covered by acts of Congress.

S. B. 383. An Act amending Chapter 31 of the Acts of the General Assembly of 1920 relating to the practice of Optometry, etc.

H. Res. 42. A Joint Resolution for the benefit of G. W. Lawrence and J. V. Carter, State employees engaged in operating the elevator in the State Capitol.

H. Res. 43. A Joint Resolution for the benefit of certain employes who care for the State Capitol and grounds in compensation for extra money, etc.

H. B. 763. An Act amending Section 138, Kentucky Statutes, Carroll's 1930 Edition, Baldwin's revision, being an act relating to the salary of the Auditor.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed in the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills and resolutions of the following titles, viz.:

H. B. 483. An Act to repeal, amend and re-enact Sec. 1 of chapter 128 of the Acts of the General Assembly 1928, approved March 21, 1928, relating to revenue and taxation.

With Committee Amendment thereto by way of Substitute therefor.

H. B. 765. An act relating to the adoption of text-books in this Commonwealth and providing that not more than 33 1-3 of the Basal text-books heretofore adopted and in use in any unit shall be changed.

H. B. 628. An Act amending Sec. 4153 (31) Carroll's Kentucky Statutes relating to revenue and taxation.

H. B. 727. An Act to amend and re-enact Sec. 210 of Kentucky Statutes, Carroll's 1922 Edition.

H. B. 182. An Act to repeal and re-enact Sec. 331e-3, Carroll's Kentucky Statutes, 1922 Edition, as amended by Chapter 44 of the General Assembly of 1926, providing for the appointment and compensation of probation officers.

H. B. 564. An Act to amend Sec. 4325 Kentucky Statutes, Carroll's 1922 Edition.

H. B. 652. An Act to amend, repeal and re-enact Sec. 131 of Kentucky Statutes relating to County Attorneys and Attorneys appointed to act for the County Attorney in Inferior Courts.

H. B. 736. An Act to amend and re-enact Sec. 2242 Kentucky Statutes, relating to time Jury Commissioner may remain in session; compensation; reconvening, etc.

H. B. 743. An Act relating to the building and maintaining of roads by the State Highway Commission to permanent landing fields operated by municipalities, counties or State.

S. B. 98. An Act to regulate sales of real estate belonging to infants and persons of unsound mind.

S. B. 201. An Act to regulate the buying or receiving, selling or disposing of used or second-hand articles, etc.

S. B. 311. An Act to provide for the payment of premiums on bonds executed by county officers.

S. B. 69. An Act to amend Sec. 11, Article 6, of an Act, entitled "An Act for the government of cities of the second class in the Commonwealth of Kentucky."

S. B. 202. An Act to repeal chapter 52 of the Acts of the General Assembly of 1928, rlating to a supervisory attendance officer for public schools.

S. B. 118. An Act for the benefit of Mary Mallissa Wells.

S. B. 359. An Act to repeal and re-enact Sec. 2380, subsec. 26, Kentucky Statutes, relating to the contract for the construction of the drainage project and how same shall be let by the Board of Drainage Commissioners.

S. Res. 31. Resolution authorizing J. B. Betts of Nicholasville, Kentucky, to sue the Commonwealth.

H. Res. 49. An Act authorizing J. D. Purcell to sue the Commonwealth.

H. B. 547. An Act relating to primary system of roads and highways.

S. B. 277. An Act repealing Chapter 181 of the Acts of the General Assembly of 1928, and enacting in lieu thereof an Act establishing primary road project.

S. B. 312. An Act relating to primary road project.

S. B. 313. An Act relating to primary system of roads and highways.

S. B. 314. An Act relating to primary system of roads and highways.

S. B. 316. An Act relating to primary system of roads and highways.

S. B. 318. An Act relating to primary system of road and highways.

S. B. 319. An Act relating to primary system of roads and highways.

S. B. 321. An Act relating to primary system of roads and highways.

S. B. 322. An Act relating to primary system of roads and highways.

S. B. 330. An Act relating to primary system of roads and highways.

S. B. 331. An Act relating to primary system of roads and highways.

S. B. 332. An Act relating to primary system of roads and highways.

S. B. 333. An Act relating to primary system of roads and highways.

S. B. 338. An Act relating to primary system of roads and highways.

S. B. 350. An Act relating to primary system of roads and highways.

S. B. 377. An Act relating to primary system of roads and highways.

S. B. 381. An Act relating to primary system of roads and highways.

S. B. 386. An Act relating to primary system of roads and highways.

S. B. 387. An Act relating to primary system of roads and highways.

S. B. 388. An Act to amend Sec. 4356t-5, relating to primary system of roads and highways.

S. B. 389. An Act relating to primary system of roads and highways.

S. B. 391. An Act relating to primary system of roads and highways.

S. B. 392. An Act relating to primary system of roads and highways.

S. B. 395. An Act relating to primary system of roads and highways.

S. B. 396. An Act relating to primary system of roads and highways.

S. B. 397. An Act relating to prmary system of roads and highways.

S. B. 407. An Act relating to primary system of roads and highways.

S. B. 412. An Act relating to primary system of roads and highways.

S. B. 139. An Act relating to primary system of roads and highways.

S. B. 172. An Act relating to primary system of roads and highways.

S. B. 173. An Act relating to primary system of roads and highways.

S. B. 174. An Act relating to primary system of roads and highways.

S. B. 179. An Act relating to primary system of roads and highways.

S. B. 197. An Act relating to primary system of roads and highways.

S. B. 213. An Act relating to primary system of roads and highways.

S. B. 224. An Act relating to primary system of roads and highways.

S. B. 230. An Act relating to primary system of roads and highways.

S. B. 232. An Act relating to primary system of roads and highways.

S. B. 235. An Act relating to primary system of roads and highways.

S. B. 236. An Act relating to primary system of roads and highways.

S. B. 237. An Act relating to primary system of roads and highways.

S. B. 238. An Act relating to primary system of roads and highways.

S. B. 242. An Act relating to primary system of roads and highways.

S. B. 255. An Act relating to primary system of roads and highways.

S. B. 263. An Act relating to primary system of roads and highways.

S. B. 265. An Act relating to primary system of roads and highways.

S. B. 268 An Act relating to primary system of roads and highways.

S. B. 271. An Act relating to primary system of roads and highways.

S. B. 274. An Act relating to primary system of roads and highways.

S. B. 276. An Act relating to primary system of roads and highways.

S. B. 280. An Act relating to primary system of roads and highways.

S. B. 282. An Act relating to primary system of roads and highways.

S. B. 284. An Act relating to a primary system of roads and highways.

S. B. 285. An Act relating to a primary system of roads and highways.

S. B. 286. An Act relating to a primary system of roads and highways.

S. B. 288. An Act relating to a primary system of roads and highways.

S. B. 342. An Act to amend and re-enact Section 1, of chapter 143, entitled "An Act providing for oiling of the steets in cities of the fourth and fifth classes."

S. B. 353. An Act to repeal and re-enact Sec. 2380, Sub-Sec. 2, Ky. Statutes, Carroll's Edition, being 1926 supplement and being the Act as amended March 25th, 1916.

H. B. 547. An Act relating to primary road system.

H. B. 515. An Act relating to the primary road system.

H. B. 566. An Act relating to primary system of roads and highways.

H. B. 568. An Act relating to primary system of roads and highways.

H. B. 570. An Act relating to primary system of roads and highways.

H. B. 581. An Act relating to primary system of roads and highways.

H. B. 585. An Act relating to primary system of roads and highways.

H. B. 590. An Act relating to primary system of roads and highways.

H. B. 592. An Act relating to primary system of roads and highways.

H. B. 598. An Act relating to primary system of roads and highways.

H. B. 600. An Act relating to primary system of roads and highways.

H. B. 606. An Act relating to primary system of roads and highways.

H. B. 607. An Act relating to primary system of roads and highways.

H. B. 608. An Act relating to primary system of roads and highways.

H. B. 609. An Act relating to primary system of roads and highways.

H. B. 610. An Act relating to primary system of roads and highways.

H. B. 613. An Act relating to primary system of roads and highways.

H. B. 615. An Act relating to primary system of roads and highways.

H. B. 617. An Act relating to primary system of roads and highways.

H. B. 625. An Act relating to primary system of roads and highways.

H. B. 626. An Act relating to primary system of roads and highways.

H. B. 629. An Act relating to primary system of roads and highways.

H. B. 630. An Act relating to primary system of roads and highways.

H. B. 631. An Act relating to primary system of roads and highways.

H. B. 633. An Act relating to primary system of roads and highways.

H. B. 639. An Act relating to primary system of roads and highways.

H. B. 640. An Act relating to primary system of roads and highways.

H. B. 648. An Act relating to primary systemm of roads and highways.

H. B. 649. An Act relating to primary system of roads and highways.

H. B. 650. An Act relating to primary system of roads and highways.

H. B. 653. An Act relating to primary system of roads and highways.

H. B. 661. An Act relating to primary system of roads and highways.

H. B. 663. An Act relating to primary system of roads and highways.

H. B. 664. An Act relating to primary system of roads and highways.

H. B. 665. An Act relating to primary system of roads and highways.

H. B. 666. An Act relating to primary system of roads and highways.

H. B. 667. An Act relating to primary system of roads and highways.

H. B. 669. An Act relating to primary system of roads and highways.

H. B. 670. An Act relating to primary system of roads and highways.

H. B. 671. An Act relating to primary system of roads and highways.

H. B. 672. An Act relating to primary system of roads and highways.

H. B. 673. An Act relating to primary system of roads and highways.

H. B. 674. An Act relating to primary system of roads and highways.

H. B. 680. An Act relating to primary system of roads and highways.

H. B. 685. An Act relating to primary system of roads and highways.

H. B. 686. An Act relating to primary system of roads and highways.

H. B. 687. An Act relating to primary system of roads and highways.

H. B. 688. An Act relating to primary system of roads and highways.

H. B. 691. An Act relating to primary system of roads and highways.

H. B. 692. An Act relating to primary system of roads and highways.

H. B. 694. An Act relating to primary system of roads and highways.

H. B. 695. An Act relating to primary system of roads and highways.

H. B. 699. An Act relating to primary system of roads and highways.

H. B. 700. An Act relating to primary system of roads and highways.

H. B. 701. An Act relating to primary system of roads and highways.

H. B. 711. An Act relating to primary system of roads and highways.

H. B. 712. An Act relating to primary system of roads and highways.

H. B. 715. An Act relating to primary system of roads and highways.

H. B. 716. An Act relating to primary system of roads and highways.

H. B. 760. An Act relating to the primary system of roads and highways.

H. B. 761. An Act relating to the primary system of roads and highways.

H. B. 762. An Act relating to the primary system of roads and highways.

H. B. 730. An Act relating to the primary system of roads and highways.

H. B. 731. An Act relating to the primary system of roads and highways.

H. B. 732. An Act relating to the primary system of roads and highways.

H. B. 733. An Act relating to the primary system of roads and highways.

H. B. 734. An Act relating to the primary system of roads and highways.

H. B. 738. An Act relating to the primary system of roads and highways.

H. B. 739. An Act relating to the primary system of roads and highways.

H. B. 746. An Act relating to the primary system of roads and highways.

H. B. 747. An Act relating to the primary system of roads and highways.

H. B. 748. An Act relating to the primary system of roads and highways.

H. B. 752. An Act relating to the primary system of roads and highways.

H. B. 754. An Act relating to the primary system of roads and highways.

S. B. 433. An Act relating to primary system of roads and highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills and resolutions at length being dispensed with, said bills and resolutions were read the second time by their titles only.

Ordered that said bills and resolutions be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 514. An Act to repeal amend and re-enact Sec. 4346a-1, Baldwin's Kentucky Statute Service, 1928 Edition, relating to width of tires on vehicles, etc.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4346a-1, Baldwin's Kentucky Statute Service, 1928 Edition, be repealed, amended and re-enacted so that said section, when amended and re-enacted, shall read as follows:

§ 2. That it shall be unlawful for any person, firm, association or corporation to haul over any turnpike, macadam, gravel or other hard-surfaced road, at any season of the year, on any vehicle with steel tires of less than three inches in width, any load the combined weight of which load, vehicle and driver shall be more than seventy-five hundred pounds, or any vehicle with steel tires of more than three inches and less than five inches in width, any load, the combined weight of which load, vehicle and driver shall be more than nine thousand pounds; or any vehicle with steel tires five inches or over in width, any load, the combined weight of which load, vehicle and driver shall be more than ten thousand pounds; or any vehicle with solid rubber or rubber-compounded tires any load the combined weight of which load, vehicle and driver shall be more than eight hundred pounds per inch of combined tire width, all tires included, and such width calculated as the sum of the width of the four tires as per manufacturer's list.

Provided, however, that for the periods between the fifteenth day of December and the first day of April following, on all roads other than brick, concrete, rock asphalt or surface treated macadam or any type of construction not rated by the state highway engineer as high type construction, the maximum load permitted on any vehicle with steel tires shall

not be more than two-thirds allowed in the rate set out and provided for in the first paragraph of this section; and in the case of rubber tired vehicles or trucks equipped with tires of rubber compounded such maximum load, the combined weight, including vehicle and driver shall not be more than six hundred pounds per inch of combined tire width, all tires included, and such combined width calculated as the sum of the width of the four tires, as per manufacturer's list.

Provided further that, during such times as any gravel or macadam road is softened by thaw or a period of heavy rains, the maximum load permitted on any vehicle with steel tires shall be not more than one-third of the rates set out and provided for in this act. And any trucks equipped with rubber or rubber-compounded tires such maximum load, the combined weight including vehicle and driver, shall be not more than three hundred (300) pounds per inch of combined tire width all tires included, and such combined width calculated as the sum of the width of the four tires as per manufacturer's list.

Provided further that no tire of rubber or rubber compounded may have thickness of rubber less than one inch, measured from the steel flange of the rim.

§ 3. All acts and parts of acts in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Francis moved that said bill be laid on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 364. An Act releasing owners of motor vehicles from responsibility for injuries to passengers therein.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

First: No person transported by the owner or operator of a motor vehicle, as his guest, without payment for such transportation shall have a cause of action for damages against such owner or operator for any injuries received, death, or any loss sustained, in case of accident, unless such accident shall have resulted from an intentional act on the part of said owner or operator.

Mr. John Y. Brown offered the following Amendment to said bill, viz.:

Amend H. B. 364, line 5, by striking out word "intentional" and substituting in lieu thereof the word "negligent."

Mr. Dowling offered the following Amendment to the Amendment as offered by Mr. Brown, viz.:

Amend the Amendment by adding the "gross negligence" for the word "negligence."

Said amendment to the Amendment was disagreed to.

Said Amendment as offered by Mr. Brown was then disagreed to.

Mr. Gnau offered the following Amendment to said bill, viz.:

Amend H. B. 364 by inserting in line 2 after the word "vehicle" the words "except a motor truck."

Said Amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Gnau and Dowling, were as follows, viz.:

Those who voted in the affirmative were—

C. B. Dowling	F. A. Gnau	Caleb A. Page
Joseph B. Everhart	J. Roy Johnson	H. L. Taylor
Kelly J. Francis	H. R. Marquette	C. B. Truesdell
Ralph Gilbert	Andrew W. Nichols	J. E. Walters

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Those who voted in the negative were—

E. S. Allison	J. W. Edwards	M. F. Moore
U. G. Anderson	William A. Eimer	B. T. Morris
William B. Ardery	J. O. Evans	F. Tyler Munford
W. O. Baxter	Virgil Eversole	L. B. Murphy
S. A. Blackburn	John B. Furlong	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Fred A. Nolte
T. L. Britton	Robt. L. Horn	Curtis F. Park
J. Watt Brown	C. E. Houk	J. D. Patton
John R. Buckman	R. L. Jackson	James I. Peters
Dr. R. A. Byers	Grover C. Johnson	John H. Pickett
Lee Clark	Theron M. Johnson	W. E. Randall
Bradley Combs	J. R. Johnston	Dorsey Ratliff
Elmer Cook	M. F. Jordan	Denny P. Smith
Leonard Cook	John B. Klefot	D. O. Stanley
W. W. Cooper	Frank LeBus	Frank L. Strange
Ben L. Cox	Martin Light	Elmer J. Terry
H. G. Crabtree	Fred V. Lucas	E. J. Thomas
G. Cunningham	B. K. Marshall, Jr.	J. A. Thompson
William J. Curtis	Joseph Martin	Thomas H. Troxel
J. J. Davis	James A. May	Dr. Vallandingham
Winn Davis	Geo. R. McIntosh	H. Speed Tye
E. C. Dennington	Henry Meiman	L. M. Weathers
S. J. Douthitt	Harry J. Meyers	G. W. Wigginton
W. C. Dugan	Clarence Miller	Robert Williams

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The hour of twelve o'clock Meridian having arrived, the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House resumed consideration of the bill which was under discussion when the hour for recess arrived, to-wit: a bill entitled:

H. B. 364. (For title see Journal ante)

Mr. John Y. Brown offered the following Amendment to said bill, viz.:

Amend H. B. 364, line 6, by adding thereto:

"But this shall not apply where the owner of car carries insurance; but if any Section of this bill is declared unconstitutional, it shall not affect the balance of said bill."

Said Amendment was disagreed to.

Mr. Gnau offered the following Amendment to said bill, viz.:

Amend H. B. 364 by adding in line 6 following the word "operator," the following: "Provided, however, that the provisions of this Act shall not apply to any injured person under the age of fourteen."

Mr. Terry moved that said Amendment be tabled.

Said motion was disagreed to.

Said Amendment was then disagreed to.

The yeas and nays being required thereon by Messrs. Gnau and Anderson were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Ralph Gilbert	Andrew W. Nichols
D. C. Bradley	F. A. Gnau	Denny P. Smith
John Young Brown	H. G. Handmaker	H. L. Taylor
John R. Buckman	Rev. B. L. Hargrove	J. A. Thompson
Elmer Cook	J. Roy Johnson	C. B. Truesdell
S. J. Douthitt	H. R. Marquette	H. Speed Tye
C. B. Dowling	B. K. Marshall, Jr.	J. E. Walters
Joseph B. Everhart	Clarence Miller	Robert Williams
Kelly J. Francis	Russell O. Miller	
John B. Furlong	M. L. Napier	—28

Those who voted in the negative were—

E. S. Allison	J. W. Edwards	Harry J. Meyers
W. O. Baxter	William A. Eimer	M. F. Moore
S. A. Blackburn	J. O. Evans	B. T. Morris
Dr. R. A. Byers	Virgil Eversole	F. Tyler Munford
James A. Campbell	L. B. Hamilton	H. L. Nickell
Lee Clark	R. L. Jackson	Fred A. Nolte
Leonard Cook	Grover C. Johnson	Curtis F. Park
W. W. Cooper	Theron M. Johnson	J. D. Patton
Ben L. Cox	J. R. Johnston	John H. Pickett
H. G. Crabtree	M. F. Jordan	W. E. Randall
G. Cunningham	John B. Klefot	Dorsey Ratliff
William J. Curtis	Frank LeBus	D. O. Stanley
J. J. Davis	Martin Light	Frank L. Strange
Winn Davis	Fred V. Lucas	E. J. Thomas
E. C. Dennington	Joseph Martin	Dr. Vallandingham
James R. Dorman	James A. May	L. M. Weathers
W. C. Dugan	Geo. R. McIntosh	G. W. Wigginton
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Mr. Clarence Miller offered the following amendment to said bill viz.:

Amend H. B. 364 as follows: "Provided, however, that the provisions of this bill shall not apply in case the driver of the car is driving with one hand only."

Said Amendment was disagreed to.

Mr. John Y. Brown offered the following Amendment to said bill, viz.:

Amend H. B. 364 by adding to line 6 the following: "but gross negligence shall be held to be intentional."

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	J. O. Evans	B. T. Morris
U. G. Anderson	Virgil Eversole	F. Tyler Munford
W. O. Baxter	John B. Furlong	L. B. Murphy
T. L. Britton	L. B. Hamilton	M. L. Napier
John R. Buckman	Rev. B. L. Hargrove	H. L. Nickell
Dr. R. A. Byers	C. E. Houk	Curtis F. Park
James A. Campbell	P. L. Jackson	J. D. Patton
Lee Clark	Grover C. Johnson	James I. Peters
Leonard Cook	Theron M. Johnson	John H. Pickett
W. W. Cooper	J. R. Johnston	W. E. Randall
Ben L. Cox	M. F. Jordan	Dorsey Ratliff
G. Cunningham	John B. Klefot	D. O. Stanley
William J. Curtis	Frank LeBus	Frank L. Strange
J. J. Davis	Martin Light	E. J. Thomas
Winn Davis	Fred V. Lucas	J. A. Thompson
E. C. Dennington	Joseph Martin	Thomas H. Troxel
James R. Dorman	James A. May	Dr. Vallandingham
W. C. Dugan	Geo. R. McIntosh	J. E. Walters
J. W. Edwards	Harry J. Meyers	L. M. Weathers
William A. Eimer	M. F. Moore	G. W. Wigginton

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Those who voted in the negative were—

John R. Buckman	Ralph Gilbert	Russell O. Miller
D. C. Bradley	F. A. Gnau	Andrew W. Nichols
John Young Brown	H. G. Handmaker	Denny P. Smith
S. J. Douthitt	J. Roy Johnson	H. L. Taylor
C. B. Dowling	H. R. Marquette	C. B. Truesdell
Thomas Dunn	B. K. Marshall, Jr.	H. Speed Tye
Joseph B. Everhart	Henry Meiman	Robert Williams
Kelly J. Francis	Clarence Miller	—23

Resolved that the title there be as aforesaid.

Mr. LeBus of the Committee on Rules moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Nichols moved that Master Allie Young Klefot be appointed Honorary Page of this House.

Said motion was agreed to.

The Clerk produced and read the following invitation to the House, viz.:

March 12, 1930.

To the Speaker and members of the House of Representatives:

A short musical program, consisting largely of Kentucky Folklore songs, will be presented at the Mansion this evening, beginning at 7:15, and Governor and Mrs. Sampson extend to the members of this House, their families and friends a most cordial invitation to be present.

It will be informal and last about one hour.

Sincerely,

EARL MAXWELL HEAVRIN,

Secretary to the Governor.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 484. An Act to amend Section 3713, Kentucky Statutes, Carroll's 1922 Edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3713, Kentucky Statutes, Carroll's 1922 Edition, be amended so that said section as amended shall read as follows:

No such city shall become incorporated unless it contains at least one hundred and twenty-five inhabitants residing within the boundaries proposed to be established for such city; nor shall the boundary of any city, when incorporated, exceed one-half of a mile in each direction, the form of the city being square; provided, however, that any unclassified municipality or incorporated taxing district having by its charter a grant of municipal powers and now exercising the same, and having at least two hundred and fifty inhabitants residing within the boundary proposed to be established for such city, may be incorporated as a city with its present territorial boundaries.

§ 2. All acts or parts of acts in conflict herewith, to the extent of such conflict, are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Bradley Combs
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
Kelly J. Francis
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
Joseph Martin
Geo. R. McIntosh
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
B. T. Morris
L. B. Murphy
H. L. Nickell
Curtis F. Park
J. D. Patton
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
E. J. Thomas
Thomas H. Troxel
L. M. Weathers
G. W. Wigginton

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Resolved that the title thereof be as aforesaid.

Mr. John Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 740. An Act concerning and providing for the closing, discontinuing, and condemning of streets, alleys and other public ways in cities of the first class in order to pro-

vide for the elimination of grade crossings of public ways over the tracks of steam and electric railroads or railways, as provided for by Section 2839a of Carroll's (1930) Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whenever in the opinion of the Director of Works it is reasonably necessary to discontinue, close and condemn, in whole or part, any street, alley, or other public way in cities of the first class for the purpose of using same for the elimination of grade crossings of public streets over the tracks of steam or electric railroads, as provided by Section 2839a of Carroll's (1930) Kentucky Statutes, he shall certify the necessity of such closing, discontinuance and condemnation, and his reasons therefor to the legislative body of the City, whereupon such body may adopt an ordinance authorizing and directing the City Attorney to institute suit in the Circuit Court for the purpose of closing, discontinuing and condemning the public way or portion thereof, designated in said ordinance. To such suit, all of the owners of ground in the squares and lots divided by such public way or portion thereof sought to be closed, and abutting thereon, shall be made defendants. Thereupon, said action shall proceed as in the case of condemnation of property for other city purposes, as provided by Section 2852 of Carroll's (1930) Kentucky Statutes, and upon return of the verdict of the Jury, the Court shall enter judgment discontinuing and closing the public way or portion thereof sought to be closed and condemned, and vesting in the City the fee simple title to the same, the said judgment to take effect upon the payment into Court, by the City, of the amount of money named in the verdict, and the taxed costs of the proceedings, but the City shall have sixty (60) days in which to make compensation

and payment, and if same be not made within such time, the said closing shall be deemed and treated as abandoned, and the verdict and judgment set aside, and the proceedings dismissed at the cost of the City without prejudice to any subsequent proceedings.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	C. B. Dowling	James A. May
U. G. Anderson	W. C. Dugan	Henry Meiman
William B. Ardery	J. W. Edwards	Clarence Miller
W. O. Baxter	William A. Eimer	Russell O. Miller
S. A. Blackburn	Kelly J. Francis	B. T. Morris
John Young Brown	John B. Furlong	L. B. Murphy
J. Watt Brown	F. A. Gnau	Fred A. Nolte
John R. Buckman	L. B. Hamilton	James I. Peters
Dr. R. A. Byers	H. G. Handmaker	John H. Pickett
James A. Campbell	Robt. L. Horn	John W. Preston
Bradley Combs	C. E. Houk	W. E. Randall
Leonard Cook	R. L. Jackson	Dorsey Ratliff
W. W. Cooper	Grover C. Johnson	Elmer J. Terry
Ben L. Cox	J. Roy Johnson	E. J. Thomas
H. G. Crabtree	Theron M. Johnson	Thomas H. Troxel
William J. Curtis	M. F. Jordan	C. B. Truesdell
James R. Dorman	A. R. Kincheloe	G. W. Wigginton
S. J. Douthitt	Martin Light	—53

Resolved that the title thereof be as aforesaid.

Mr. J. Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 134. An Act to amend and re-enact Section 3105 of the Kentucky Statutes, relating to the construction of sewers in cities of the second class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3105 of the Kentucky Statutes, relating to sewers in cities of the second class, be, and the same is hereby amended and re-enacted so that the same as so amended and re-enacted will read as follows:

3105. Construction; cost; how apportioned; limit; collection; lien. The general council or board of commissioners shall have power to construct sewers along or under any of the streets, alleys, or highways of the city, and may assess the entire cost thereof, including intersections, upon the lots and lands in the neighborhood of said sewers which may be benefited thereby, according to the benefits received and may levy a special local tax on such lots and lands for the cost of such improvements so assessed thereon, which tax shall be due and payable at the office of the city treasurer upon completion of the work and acceptance thereof by the general council or board of commissioners, and no property shall be exempt from such improvement tax. In every case the general council or board of commissioners shall, by ordinance or

resolution, fix and determine what lots and lands are benefited thereby, and fix and determine the amount of tax to be levied upon the several lots or lands so benefited: Provided, that where the cost of a sewer does not exceed the sum of two dollars ($2.00) per abutting foot of the property bounding or abutting upon the streets, alleys or highways in, under or along which such sewer may be constructed, then such bounding or abutting property shall be deemed the property benefited thereby, and said cost shall be apportioned and assessed equally on such abutting lots or lands according to the feet abutting. No ordinance for the construction of a sewer at the cost of the abutting or benefited property owners, shall be passed until a resolution declaring such construction a necessity and setting out in general terms the property subject to the payment of the cost of same, shall have passed by a two-thirds vote of the members elect of each board of general council, or the board of commissioners, and its determination as to the necessity of any such sewer shall be final. All property benefited by such improvement belonging to the city shall be considered and assessed as the property of individuals and the assessment thereon shall be paid by the city out of the general fund of the city. The tax provided for herein shall be a lien upon such abutting or benefited property, as the case may be, from the time of the publication of the ordinance levying such tax, and the same shall bear six per cent (6%) per annum interest from such time until paid, and if not paid within thirty days shall have added thereto a penalty of ten per cent (10%) of the tax. Provided, there shall be no interest charged on any tax paid within such thirty days. The lien herein provided for shall take precedence over all other liens, whether created prior or subsequent thereto, except state, county and municipal taxes and prior improvement taxes, and shall not be defeated or postponed by any private or judicial sale or by any mortgage or by any error or mistake in the description of the property or in the name of the owners thereof. Nor shall any error in

the proceedings of the general council or the board of commissioners exempt any property from the lien for, or payment of, such taxes after the work has been done and accepted as provided in this section; but the general council or board of commissioners, or the courts in which such suits are pending shall make all corrections, rules and orders to do justice to all parties concerned; and in no event shall the city be liable for any part of the cost of such improvement. (Any assessment for any sewer improvement as provided in this section which exceeds one-half of the value of the lot or parcel of real estate upon which the assessment is made shall be void as to such excess, but the improvement shall be taken into consideration in fixing the value of real estate,) and the general counel or board of commissioners of such city shall provide for the payment of any such excess out of the general fund. Such liens may be enforced as other liens on real estate, by action brought in the name of the city or the contractor entitled thereto, and, in any such action, an allegation in substance that the improvements had been made and the work accepted pursuant to and by ordinances of the city duly passed in accordance with law, shall be a sufficient pleading of the ordinances and proceedings under which the work was done and accepted without setting out the same in full.

(a) The city auditor shall keep in the office, in a book to be provided for that purpose, a record of all assessments of local taxes as provided in this act, showing the name and portion of the street on which the improvement is made, the character of the improvements and the names of the persons against whose property the assessments are made. Such record shall be subject to inspection by any person desiring to inspect the same, and shall be conclusive evidence of notice, to all persons, of such assessments and the liens created thereby. Upon the payment of any improvement tax to the treasurer, he will report the same to the auditor who will make proper entry thereof in the record book herein provided for, whereupon the lien of such tax shall stand released.

All local taxes paid into the city treasury shall, from time to time, be paid over to the contractor, or other person entitled thereto, upon order of the general council or board of commissioners. The auditor shall carefully keep a separate account of the funds arising from assessments for each particular improvement, and no proceeds arising from assessments of one improvement shall be diverted to the payment for any other improvement whatever. The proceeds shall in each case constitute a separate special fund for the payment of the contractor for the particular work for which the assessment is made, or for the security and payment of improvement bonds, if any are issued, as hereinafter provided for such improvement. (The general council or board of commissioners may provide by ordinance that monthly estimates be made of the amount of work done on any such improvement, and may issue to the contractor improvement warrants therefor to the extent of 65 per cent of the estimate, bearing not exceeding 6 per cent per annum interest from date of issue. Such warrants shall be issued by the city treasurer, or the commissioner of finance upon the order of the general council or board of commissioners. They shall be negotiable, and shall constitute a lien on the local taxes levied for such improvement and shall be payable at the office of the city treasurer without notice to the holder thereof upon completion and acceptance of the improvement out of the first collection of such local taxes, or out of the proceeds of the sale of any improvement bonds issued in anticipation thereof. The interest on such improvement warrants shall be estimated and assessed as a part of the cost of the improvement for which the same are issued, and where the general council or board of commissioners fail to provide by ordinance that monthly estimates be made of the amount of work done on any such improvement, and fail to issue to the contractor improvement warrants thereof to the extent of 65 per cent of the estimate, and in all cases where they do provide by ordinance that monthly estimates be made of the amount of

such work done on said improvement to the extent of 65 per cent of the estimate, the general council or board of commissioners after the acceptance of the work of said improvement and the confirmation of the engineer's final estimate of the cost thereof, shall issue to the contractor improvement warrants for the full amount of the final estimate or assessment for said improvement, bearing not exceeding six per cent per annum from date of issue; such warrants shall be issued by the city treasurer or commissioner of finance upon order of the general council or board of commissioners; said warrants shall be negotiable and constitute a lien on the local taxes levied for such improvements, and shall be payable at the office of the city treasurer or commissioner of finance without notice to the holder thereof out of the collection of such local taxes, and interest upon improvement warrants shall be estimated and assessed as a part of the cost of the improvement for which the same are issued).

(b) Except as otherwise provided herein, when any such sewer shall have been constructed and the contract therefor completed, the same shall be accepted and the cost thereof apportioned to and assessed upon the abutting and benefited lots and lands, and a local tax levied thereon in all respects in the manner and of the same effect as provided in sections 3099 and 3100 of the Kentucky Statutes with reference to the acceptance of street improvements, the apportionment of that part of the cost thereof payable by the abutting property owners and the levy of the tax therefor. Such taxes may be collected and the lien therefor enforced in all respects as provided in said section 3100.

(c) The general council or board of commissioners may provide such construction of sewers on the ten year or other annual payment plan and may issue and sell bonds in anticipation of the collection of the special local taxes levied therefor in all respects in the manner and to the same effect as provided in sections 3101 and 3102 of the Kentucky Statutes relating to the improvement of streets on the ten year plan

and issuing bonds to provide funds for the payment therefor.

(d) The general council or board of commissioners may provide for the construction of sewers out of the general fund of the city.

§ 2. All laws and parts of laws in conflict herewith are hereby to the exent of such conflict repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Joseph B. Everhart	Harry J. Meyers
William B. Ardery	Kelly J. Francis	Clarence Miller
W. O. Baxter	John B. Furlong	M. F. Moore
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Fred A. Nolte
John Young Brown	H. G. Handmaker	John H. Pickett
J. Watt Brown	Robt. L. Horn	John W. Preston
John R. Buckman	C. E. Houk	W. E. Randall
James A. Campbell	R. L. Jackson	Dorsey Ratliff
Bradley Combs	Grover C. Johnson	D. O. Stanley
W. W. Cooper	J. Roy Johnson	Elmer J. Terry
Ben L. Cox	Theron M. Johnson	E. J. Thomas
H. G. Crabtree	M. F. Jordan	J. A. Thompson
William J. Curtis	A. R. Kincheloe	Thomas H. Troxel
J. J. Davis	John B. Klefot	C. B. Truesdell
E. C. Dennington	Martin Light	H. Speed Tye
W. C. Dugan	H. R. Marquette	G. W. Wigginton
J. W. Edwards	James A. May	Robert Williams
William A. Eimer	Henry Meiman	—56

Resolved that the title thereof be as aforesaid.

Mr. J. Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Order of the Day, a resolution entitled:

H. Res. 35. Joint Resolution providing for the participation of the Commonwealth of Kentucky in the celebration of the one hundred and fiftieth anniversary of the founding of Transylvania University.

Said resolution is as follows, viz.:

A Joint Resolution providing for the participation of the Commonwealth of Kentucky in the celebration of the one hundred and fiftieth anniversary of the founding of Transylvania University, and appropriating the sum of five thousand dollars ($5,000.00) toward the expenses of holding said celebration.

WHEREAS, it appears that the one hundred and fiftieth aniversary of the founding of Transylvania University will occur in the year 1930, and it is planned by the authorities of said institution to hold appropriate commemorative exercises, in connection with said anniversary, in the City of Lexington, in the month of June 1930, and preparations are now in progress to that end; and,

WHEREAS, the Transylvania Seminary, out of which grew the institution later known and still known as Transylvania University, was established by the General Assembly of Virginia, of which Kentucky was then a part, by an Act adopted

at the May session, in the year 1780, of said assembly, in which it was declared that "it is the interest of this Commonwealth always to promote and encourage every design which may tend to the improvement of the mind and the diffusion of useful knowledge," and said act constituted the first provision ever made by public authority for the purpose of a public school or seminary of learning within the jurisdiction of Kentucky; and,

WHEREAS, in consequence of said legislation by the parent State, Virginia, Transylvania became the original source from which has come all of the broad and beneficent system of public schools and institutions of higher learning, now existing in this Commonwealth, and, through the bounty of the Commonwealth and numerous private benefactions, as well as the devotion and zeal of past generations of our citizens said institution has for a hundred and fifty years enjoyed an unbroken and honorable career of usefulness and during these years has had the support of the most eminent and public-spirited people of Kentucky and has been the alma mater of a long roll of useful, distinguished and patriotic men and women and is recognized by all as one of the most venerable and worthy monuments to the civilization our State has developed, and it is deemed both fit and proper that the proposed celebration of so interesting an event shall be formally and officially endorsed by the Commonwealth and provision made for participation by it therein; and an appropriation be made toward defraying the necessary expenses of said celebration; now, therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky, the Senate concurring:

§ 1. That the Commonwealth of Kentucky does hereby commend and approve the proposed celebration, in the month of June, 1930, by Transylvania University, of its one hundred and fiftieth anniversary, and urges upon all of the citizens of this Commonwealth in union with the people of our country

at large, to manifest due and appropriate interest therein.

§ 2. That the Commonwealth of Kentucky through a commission of seven (7) members to be constituted, as hereinafter provided, be represented at said celebration and participate therein in such manner as may be provided by the committee or other proper authorities of Transylvania University having same in charge, at the time and place by them to be designated.

§ 3. That a commission, on behalf of the Commonwealth of Kentucky, be and the same is hereby constituted, to be composed of the following members, namely: two members to be named by the Governor of Kentucky, two members to be named by the Speaker of the House of Representatives, and two members to be named by the President of the Senate, and the Chief Justice of the Court of Appeals of Kentucky, or some other member of said court to be designated by said Chief Justice, making seven (7) members in all, and of said commission the Governor of Kentucky shall be a member ex officio; and said commission shall represent and act for the Commonwealth in attending and taking part in said celebration. Said Commission shall choose its own chairman and a secretary from the membership thereof, and the members shall all serve without compensation.

§ 4. That there be and is hereby appropriated, out of moneys in the treasury not otherwise appropriated and available for the purpose, the sum of five thousand dollars ($5,000.00), to be donated, applied and used toward defraying the necessary and legitimate expenses of holding said celebration. Said sum, or so much thereof as may be found necessary, shall be subject to the orders of the aforesaid commission or a majority of the members thereof, (exclusive of the Governor), and shall be paid out, from time to time as needed, upon the order or orders of said commission, to be evidenced by the certificate of the commission signed by the chairman and secretary thereof; and upon presentation of such certificate or certificates to the treasurer of the Commonwealth, the

treasurer shall issue the warrant or warrants of the Commonwealth for the amounts called for therein, and same shall be made payable to the treasurer of the Transylvania University. Provided, that any amount that may be left of said appropriation from not being needed for the aforesaid purpose, shall be returned or covered into the General Fund; and of its action hereunder, the commission shall make due and timely report to the next Regular Session of the General Assembly.

§ 5. That, inasmuch as it will be necessary for the aforesaid commission to act and for said appropriation to become available for the purposes herein stated before the expiration of ninety days from the final adjournment of this present General Assembly, an emergency is hereby declared to exist, and this Joint Resolution shall become effective from and after its passage and approval by the Governor.

Mr. Francis offered the following Amendment to said resolution, viz.:

Amend H. Res. 35 by striking from Section 4, line 3, page 3, the following words and figures "five thousand dollars ($5,000.00)" and substituting therefor the following words: "One thousand dollars ($1,000.00)"

Said Amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	Henry Meiman
E. S. Allison	Joseph B. Everhart	Harry J. Meyers
U. G. Anderson	Virgil Eversole	Clarence Miller
William B. Ardery	Kelly J. Francis	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
D. C. Bradley	F. A. Gnau	M. L. Napier
John Young Brown	L. B. Hamilton	H. L. Nickell
John R. Buckman	H. G. Handmaker	Caleb A. Page
James A. Campbell	Robt. L. Horn	John H. Pickett
Bradley Combs	C. E. Houk	John W. Preston
W. W. Cooper	R. L. Jackson	W. E. Randall
Ben L. Cox	Grover C. Johnson	Dorsey Ratliff
H. G. Crabtree	Theron M. Johnson	Denny P. Smith
William J. Curtis	J. R. Johnston	D. O. Stanley
E. C. Dennington	M. F. Jordan	E. J. Thomas
James R. Dorman	A. R. Kincheloe	Thomas H. Troxel
S. J. Douthitt	John B. Klefot	Dr. Vallandingham
C. B. Dowling	H. R. Marquette	Robert Williams
W. C. Dugan	Joseph Martin	
J. W. Edwards	James A. May	—58

Mr. Francis offered the following Amendment to the title of said resolution, viz.:

Amend title to H. Res. 35 by striking therefrom the words and figures Five Thousand ($5,000) and substituting therefor "One Thousand ($1,000.)."

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. John Y. Brown of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. John Y. Brown of Rules Committee moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, MARCH 13, 1930.

The House was opened with prayer by the Reverend J. A. McCammon of the Church of the Nazarine of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz:

F. B. Adcock	G. Cunningham	H. G. Handmaker
E. S. Allison	William J. Curtis	Rev. B. L. Hargrove
U. G. Anderson	J. J. Davis	J. F. Harrison
William B. Ardery	Winn Davis	Robt. L. Horn
W. O. Baxter	E. C. Dennington	C. E. Houk
S. A. Blackburn	James R. Dorman	R. L. Jackson
D. C. Bradley	S. J. Douthitt	Grover C. Johnson
T. L. Britton	C. B. Dowling	J. Roy Johnson
John Young Brown	W. C. Dugan	Theron M. Johnson
J. Watt Brown	Thomas Dunn	J. R. Johnston
John R. Buckman	J. W. Edwards	M. F. Jordan
Dr. R. A. Byers	William A. Eimer	A. R. Kincheloe
James A. Campbell	J. O. Evans	John B. Klefot
Lee Clark	Joseph B. Everhart	Frank LeBus
Bradley Combs	Virgil Eversole	Martin Light
Elmer Cook	Kelly J. Francis	Fred V. Lucas
Leonard Cook	John B. Furlong	H. R. Marquette
W. W. Cooper	Ralph Gilbert	B. K. Marshall, Jr.
Ben L. Cox	F. A. Gnau	Joseph Martin
H. G. Crabtree	L. B. Hamilton	James A. May

Geo. R. McIntosh	Fred A. Nolte	Elmer J. Terry
T. R. McRoberts	Caleb A. Page	E. J. Thomas
Henry Meiman	Curtis F. Park	J. A. Thompson
Harry J. Meyers	J. D. Patton	Thomas H. Troxel
Clarence Miller	James I. Peters	C. B. Truesdell
Russell O. Miller	John H. Pickett	Speed H. Tye
M. F. Moore	John W. Preston	Dr. Vallandingham
B. T. Morris	W. E. Randall	J. D. Via
F. Tyler Munford	Dorsey Ratliff	J. E. Walters
L. B. Murphy	Denny P. Smith	L. M. Weathers
M. L. Napier	D. O. Stanley	G. W. Wigginton
Andrew W. Nichols	Frank L. Strange	Robert Williams
H. L. Nickell	H. L. Taylor	J. S. Milliken, Spkr.

Mr. John Y. Brown of Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. John Y. Brown of Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. John Y. Brown of Rules Committee moved that when the hour of twelve o'clock Meridian arrive today that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

The Clerk produced and read the following report to the House, viz.:

The undersigned Clerk and Assistant Clerk of this House desire to make supplemental report concerning House Bills 641 and 559.

Following the advice of the Attorney General, we proceeded at 5:25 P. M., this date, March 12, 1930, to the office of Governor F. D. Sampson in the Capitol Building, with House Bills 641 and 559, and delivered each of them to Mr. Max Heavrin, Secretary to the Governor. We demanded no receipt and received none.

CLIFFORD W. THOMAS,
Chief Clerk.
LINDSAY RIDGWAY,
Asst. Clerk.

Mr. Klefot moved that said report be approved and spread upon the Journal of the House.

Said motion was agreed to.

Mr. Klefot moved that a committee heretofore appointed by the Speaker to visit the Governor and request receipts for said bills to bear date of delivery for March 8, be dismissed.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House, of the following titles, viz.:

H. B. 448. An Act requiring all owners of motor vehicles operating for hire for the transportation of persons over any of the highways or streets of any of the municipalities of this Commonwealth to secure personal liability, etc.

H. B. 326. An Act to enable cities of the first class to construct a hospital or hospitals or to construct a home or homes for the aged and infirm.

H. B. 277. An Act to amend chapter 90B Section 3720b, Carroll's Kentucky Statutes, 1922 Edition, entitled negotiable instruments in General.

H. B. 214. An Act relating to the deposits required by law to be made by all insurance companies incorporated under the laws of the Commonwealth of Kentucky or doing business therein.

H. B. 74. An Act amending Sec. 492 of Kentucky Statutes, Civil Code of Practice, to authorize sales of property held for twenty years after the execution of the deed.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

And that they had passed bills which originated in the Senate entitled:

S. B. 79. An Act to repeal chapter 42 of the Acts of the 1924 legislature and enact in lieu thereof an Act requiring the State Librarian to and directing him to furnish to the Law Library of the University of Kentucky 2 sets of the Acts of the General Assembly.

S. B. 186. An Act authorizing the Board of regents of the Morehead State Normal School to acquire by gift certain property in Johnson county and to establish, operate and maintain a Normal School and Teachers College at Paintsville.

S. B. 336. An Act empowering the Insurance Commissioner of the State of Kentucky to suspend or revoke for a cause the license of an agent of a life insurance company.

Ordered that said bills be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 201. An Act to regulate the buying or receiving, selling or disposing of, used or second-hand or of new but broken or mutilated articles made of brass, copper, zinc, or lead, or of any composition of which the said metals or either of them are a part; or copper wire; and, prescribing penalties for violations thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any person who shall buy or receive, sell or dispose of, in person or by agent, upon behalf of himself or of any other person, firm or corporation, used or second-hand, or new but broken or mutilated brass, copper, zinc or lead, or of any composition of which the said metals or either of them are a part, or copper wire, with intent to defraud, shall be guilty of a felony, and, upon conviction thereof, shall be confined in the penitentiary, not less than one nor more than five years; or, in the discretion of the court, be confined in jail not less than six months nor more than one year and fined not less than one hundred nor more than one thousand dollars. If upon the trial of one charged with a violation of this section, it be proved that the defendant bought or received, sold or disposed of, any metal article or substance hereinbefore named, and that the defendant in so doing had failed to comply with one or more of the requirements of the following section, such proof shall be deemed prima facie evidence of the defendant's guilt.

§ 2. In this section, the word "buyer" shall be taken to include any person or persons who shall in person or by his agent or employee, on behalf of himself or of any person, firm or corporation, buy or receive any or either of the metal articles or substances, specified in the preceding section; the word "seller" shall be taken to include any person or persons who shall sell or deliver to another any or either of the metal articles or substances mentioned in the preceding section.

(a). Any such buyer shall at the time of such purchase take from the seller a written statement, signed by such seller, giving his name in full, place of residence and post office address, business and occupation, a full description of the article or articles so purchased, the date of purchase, from whom purchased, and stating that the seller is the owner of such article or articles, which statement shall be sworn to by the seller before an officer authorized to administer oaths.

(b). The buyer shall thereupon and at the time of the purchase endorse upon said statement whether or not the said seller is personally known to the buyer, and if the seller be not so personally known, then the buyer shall thereupon and at the time of purchase obtain from some reputable person, with whom the buyer is personally acquainted, a written identification of the seller, which identification of the seller shall also be signed and sworn to.

(c). The buyer shall then cause the article or articles so purchased to be placed, unmingled with any other property, in a container which shall be plainly marked with a separate and individual number, and no such article or articles shall be sold, or otherwise disposed of, for fifteen days from the date of purchase thereof but, during such time, shall be kept and stored by the buyer at his place of business, if the buyer has a place of business within the State of Kentucky, but if the buyer has no place of business within said State, the same shall be kept and stored at some place within the State.

(d). The buyer shall then write upon the statement of the seller and other written identifications taken, as hereinbefore provided, the number of the container in which said article or articles have been stored, as hereinbefore provided, and a description of the location of premises whereon or wherein such articles or article are stored, sufficient to identify and locate said premises and shall, not later than the Saturday next following such purchase, transmit such statement, together with all written identifications taken in connection

therewith, as hereinbefore provided, either in person or by registered mail, to the Sheriff of the county in which such purchase is made, which papers shall become a public record, and be preserved by said sheriff in his office and be open to inspection, at all reasonable hours, by any person whatsoever.

(e). And the buyer shall permit such article or articles to be seen and inspected at any time, upon request of the sheriff or of one of his Deputies or of the Prosecuting Attorney of the county in which such purchase is made or any person interested in such articles. Any person who, as such buyer, shall fail to carry out and perform any one or more of the requirements imposed upon such buyer by this section, shall be guilty of a misdemeanor, and, upon conviction thereof, confined in jail not less than thirty nor more than ninety days, and fined not less than twenty-five, nor more than one hundred dollars.

§ 3. No person shall purchase or receive by sale, barter, exchange or otherwise, a metallic article or substance mentioned as aforesaid, of a minor or apprentice, knowing or having reason to believe him to be such. Any person offending against the provisions of this section shall be punished as provided in Section One (1) hereof.

§ 4. Any person selling or delivering, or offering for sale or delivery any such metallic article or articles, or substances, as above mentioned, which are not his own, or who is making or attempting to make sale thereof, or to induce another to accept title, custody or possession thereof, shall make any false statement or representation thereabout, or in any manner respecting the same, shall be deemed guilty of a felony, and upon conviction thereof shall be punished as provided in Section One (1) hereof.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. C. Dugan	Henry Meiman
U. G. Anderson	J. W. Edwards	Clarence Miller
W. O. Baxter	William A. Eimer	Russell O. Miller
S. A. Blackburn	Garland Embry	B. T. Morris
D. C. Bradley	Joseph B. Everhart	F. Tyler Munford
T. L. Britton	Virgil Eversole	L. B. Murphy
John Young Brown	Kelly J. Francis	H. L. Nickell
John R. Buckman	John B. Furlong	Caleb A. Page
Dr. R. A. Byers	F. A. Gnau	Curtis F. Park
James A. Campbell	L. B. Hamilton	J. D. Patton
Bradley Combs	Rev. B. L. Hargrove	James I. Peters
Leonard Cook	C. E. Houk	John H. Pickett
W. W. Cooper	R. L. Jackson	W. E. Randall
Ben L. Cox	Grover C. Johnson	Denny P. Smith
H. G. Crabtree	J. Roy Johnson	D. O. Stanley
William J. Curtis	M. F. Jordan	E. J. Thomas
J. J. Davis	A. R. Kincheloe	Thomas H. Troxel
Winn Davis	Frank LeBus	C. B. Truesdell
E. C. Dennington	Martin Light	H. Speed Tye
James R. Dorman	B. K. Marshall, Jr.	Dr. Vallandingham
S. J. Douthitt	Joseph Martin	Robert Williams
C. B. Dowling	James A. May	—65

Resolved that the title thereof be as aforesaid.

Mr. John Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the following bills and resolution were introduced, ordered printed and referred to Committee on Rules, viz.:

By Mr. Francis:

H. Res. 50. Resolution providing that the State Highway Commission be directed to reconstruct East State street in the city of Frankfort from Goebel's monument to Logan Street, etc.

By Mr. Cox:

H. B. 774. An Act relating to primary system of roads and highways.

By Same:

H. B. 775. An Act relating to primary system of roads and highways.

A message was received from the Senate announcing that they had passed a bill entitled:

S. B. 444. An Act relating to the adoption of textbooks in this Commonwealth.

Which was ordered printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 213. An Act to amend and re-enact Sec. 1893a-10-11, Carroll's Kentucky Statutes, 1924 Supplement, in regard to the needy blind.

With a Committee Amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1893a-10 and 11, Carroll's Kentucky Statutes, (1924 Supplement), be and the same is hereby amended and re-enacted, so that said sections, when so amended and re-enacted, shall read as follows:

10—That the Fiscal Court or County Commissioners of each of the counties of the State shall levy, collect and disburse such sums of money from the general funds of the county as may be necessary to comply with the provisions of this act.

11—That each county shall contribute to the support of the needy blind adults in the county the sum of $120.00 (One Hundred Twenty Dollars), per annum to each such needy blind adult as herein provided, said sum be known as "The Blind Relief," and payable quarterly in equal installments, due in the months of February, May, August and November, on the first day thereof.

All laws and parts of laws in conflict with above sections are hereby repealed.

Said Substitute is as follows, viz.:

Subst., H. B. 213. An Act amending and re-enacting sec. 1893a-1, 11, 12, 13, Carroll's Kentucky Statutes, relating to appropriations made by county Fiscal Courts for the relief of the needy blind.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Sec. 1893a-10. That the fiscal court or county commis-utes, relating to appropriations made by county Fiscal Courts for the relief of the needy blind, be and the same is hereby amended and re-enacted to read as follows:

Sec. 1893a-10. That the fiscal court or county commissioners of each of the counties of the state, shall levy, collect

and disburse such sums of money from the general funds of their county as may be necessary to comply with provisions of this act.

Sec. 1893a-11. That each county shall contribute to the support of the needy blind adults in the county, a sum not less than $120.00 per annum, and not to exceed $250.00 per annum, to each such needy blind adult, as herein provided, said sum to be known as "The Blind Relief," and payable quarterly in equal installments due in the months of February, May, August and November, on the first day thereof.

Sec. 1893a-12. That before any person shall be entitled to the benefits of this act, such person must have resided in the State of Kentucky not less than ten years; and in the county of his residence not less than five years next before the application for relief is made. Such a needy blind person may thereafter file his application for relief in the office of the county court clerk, together with an affidavit sworn to by two reputable citizens of the county in which the applicant is a resident, in support of the facts contained in the application. The said county court clerk shall thereafter refer the applicant to the county or city physician, who shall diligently examine the eyes of the applicant, and report the facts of the case to the county judge. If it is found that the applicant is destitute of useful vision, and otherwise eligible according to the provisions of this act, as determined by the county judge, such judge shall thereafter order the name of the applicant to be placed upon the list of the needy blind of his county.

Sec. 1893a-13. That no person shall be entitled to the relief herein provided, who is a professional beggar, or who by manual labor, or by his or her knowledge, in any profession, trade or craft, is able to earn any sum in excess of $400.00 per annum, or who receives a pension from the United States, or any state or foreign government, or from any source which, when added to his or her earnings, will exceed the sum of $400.00, or who possesses property to the value of $2,500.00 or more, or who has an income from any source in

excess of $400.00 per annum, or who is an inmate of any state, county or charitable institution within this state or any other state as determined by the county judge to whom such application has been referred by the examining physician as herein provided.

All laws and parts of laws in conflict herewith, are hereby repealed.

Mr. Hargrove offered the following Amendments to said Substitute, viz.:

Amend printed copy of Substitute for H. B. 213 by striking out the figures $120.00 in line 10, page 1 and substitute therefor the figures $75.00.

Amend Substitute for H. B. 213 by striking out the words "a sum not less than $120.00 per annum and not to exceed $250.00 per annum" in line 10 and 11, Sec. 1893a-11 of the printed bill and substitute therefor "a sum not less than $60.00 per annum and not to exceed $125.00 per annum to be matched by a like sum to be paid by the State Treasurer from the General Fund of the State not otherwise appropriated."

Said Amendments were each disagreed to.

Mr. Dorman moved the previous question.

Thereupon the Speaker announced "Shall the main question be now put?"

Which was decided in the affirmative.

Said Substitute was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Thomas Dunn	Harry J. Meyers
William B. Ardery	William A. Eimer	B. T. Morris
W. O. Baxter	Joseph B. Everhart	F. Tyler Munford
S. A. Blackburn	Virgil Eversole	H. L. Nickell
John Young Brown	Kelly J. Francis	Fred A. Nolte
John R. Buckman	John B. Furlong	John W. Preston
James A. Campbell	F. A. Gnau	Dorsey Ratliff
Bradley Combs	C. E. Houk	D. O. Stanley
Leonard Cook	Grover C. Johnson	H. L. Taylor
W. W. Cooper	J. R. Johnston	Elmer J. Terry
Ben L. Cox	M. F. Jordan	E. J. Thomas
H. G. Crabtree	A. R. Kincheloe	Thomas H. Troxel
G. Cunningham	John B. Klefot	C. B. Truesdell
William J. Curtis	Fred V. Lucas	H. Speed Tye
J. J. Davis	H. R. Marquette	Dr. Vallandingham
E. C. Dennington	Joseph Martin	J. E. Walters
James R. Dorman	James A. May	G. W. Wigginton
S. J. Douthitt	Geo. R. McIntosh	Robert Williams
W. C. Dugan	Henry Meiman	—56

Those who voted in the negative were—

E. S. Allison	R. L. Jackson	M. F. Moore
Elmer Cook	J. Roy Johnson	M. L. Napier
C. B. Dowling	Theron M. Johnson	Caleb A. Page
J. O. Evans	Martin Light	John H. Pickett
Rev. B. L. Hargrove	T. R. McRoberts	Frank L. Strange
Robt. L. Horn	Russell O. Miller	J. A. Thompson
		—18

Resolved that the title thereof be as amended.

Mr. John Y. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. John Y. Brown of the Committee on Rules, reported bills and resolution of the following titles, viz.:

H. B. 572. An Act relating to registration of motor vehicles, providing penalty for operating such vehicle without registration, prescribing duties of the Clerk, etc.

H. Res. 32. Resolution to permit W. D. Sutton and A. S. Turner to sue the Commonwealth.

S. B. 102. An Act relating to dogs and livestock.

H. B. 772. An Act making an appropriation to beautify the grounds of the Jefferson Davis Memorial Park.

H. B. 771. An Act appropriating $2,914.83 to the Kentucky State Park Commission for purpose of paying indebtedness.

S. B. 384. An Act to amend chapter 29 of the Acts of 1924, changing the time for holding court in the 31st Judicial District.

With the expression of opinion that said bills ought to pass.

Said bills and resolution were severally read at length the first time and ordered to be placed on the Calendar.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills and resolutions of the following titles, viz.:

H. B. 593. An Act to enable a graded school to increase its boundary and take in adjacent territory upon the written petition of a citizen or citizens owning real estate near or adjacent to the boundary line of said graded school if said real estate to be so taken in is located in the same County as said graded school.

H. B. 681. An Act relating to the writing of bonds and charging premium therefor.

H. B. 763. An Act amending Section 138, Kentucky Statutes, Carroll's 1930, edition, Baldwin's Revision, being an act relating to the salary of the Auditor.

H. B. 679. An Act to regulate the occupation of hairdressers and cosmetologists and for licensing of persons to carry on and to teach such practices, to insure the better education of such practitioners.

H. B. 706. An Act to amend Section 1922a-33a, 1928 Supplement of Carroll's 1922 Edition of Kentucky Statutes.

S. B. 176. An Act relating to tax collector in cities of the fourth class.

S. B. 222. An Act fixing the time in which an action shall be commenced for the purpose of setting aside a tax deed, executed by the sheriff or auditor of Public Accounts to the purchaser of real property at a tax sale, etc.

S. B. 253. An Act to assist ex-service men and women of Kentucky who do not come under the provision of the Act creating the Kentucky Disabled Ex-Service Men's Board in obtaining from the Federal Government the relief covered by acts of Congress.

S. B. 383. An Act amending Chapter 31 of the Acts of the General Assembly of 1920 relating to the practice of Optometry, etc.

H. Res. 42. A Joint resolution for the benefit of G. W. Lawrence and J. V. Carter, State employees engaged in operating the elevator in the State Capitol.

H. Res. 43. A Joint Resolution for the benefit of certain employes who care for the State Capitol and grounds in compensation for extra services, etc.

Ordered that said bills and resolutions be read the second time.

The Constitutional provision as to the second reading of said bills and resolutions at length being dispensed with, said bills and resolutions were read the second time by their titles only.

Ordered that said bills and resolutions be placed in the Orders of the Day.

Mr. John Y. Brown of the Committee on Rules, moved that the House do now take up for consideration from the Orders of the Day, all bills which relate to the creation of road projects of the Primary System of Roads and Highways, which are now in the Orders of the Day.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 139. An Act to amend the Act known as Chapter 269, Acts of the General Assembly 1926, creating State Project No. 23a, a road running from Columbia in Adair County

to a point near Dunnville in Casey County, and providing that the road shall go via Neatsville and Pellyton to or near Creston in place of Dunnville.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 269 Acts of the General Assembly of 1926 creating a State Primary Road Project No. 23a from Columbia in Adair County to a point near Dunnville in Casey County, be and the same is hereby amended by omitting, in Section 1, the words "near Dunnville in Casey County" and inserting in lieu thereof the words "via Neatsville, Pellyton and in a northeasternly direction to an intersection with the State Highway designated as State Project No. 23 at a point near Creston in Casey County;" so that said Section 1 of said Act when amended shall read:

That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road to lead from Columbia, in Adair County, Kentucky, via Neatsville and Pellyton, to an intersection with State Primary Project No. 23, the road between Liberty and Campbellsville, at a point near Creston in Casey County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act relating to Roads and Highways, and creating project No. —, leading from a point in Project No. 181 near Virgil Allen's by the Blue and Gray Park to a point in Project No.— near Andy Stratton's.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is estblished and created a Road project No.— extending from a point in project No. 181 near Virgil Allen's by or very near the Blue and Gray Park in Todd County, to a point in Project No.— a road leading from Mike's Grove to Lewisburg in Logan County, thus establishing a Highway leading by the Blue and Gray Park. The said project thus established shall be a part of the Primary road system of this commonwealth and shall be entitled to all of the benefits and subject to all laws now in existence or to be hereinafter enacted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Ben L. Cox	H. G. Handmaker
U. G. Anderson	H. G. Crabtree	C. E. Houk
W. O. Baxter	William J. Curtis	R. L. Jackson
S. A. Blackburn	Winn Davis	Grover C. Johnson
D. C. Bradley	James R. Dorman	J. Roy Johnson
T. L. Britton	C. B. Dowling	Theron M. Johnson
John Young Brown	W. C. Dugan	M. F. Jordan
John R. Buckman	J. W. Edwards	John B. Klefot
James A. Campbell	William A. Eimer	Frank LeBus
Bradley Combs	Virgil Eversole	Martin Light
Elmer Cook	John B. Furlong	H. R. Marquette
Leonard Cook	F. A. Gnau	B. K. Marshall, Jr.
W. W. Cooper	L. B. Hamilton	Joseph Martin

James A. May	James I. Peters	E. J. Thomas
Harry J. Meyers	John H. Pickett	J. A. Thompson
Clarence Miller	John W. Preston	Thomas H. Troxel
Russell O. Miller	W. E. Randall	H. Speed Tye
M. F. Moore	Dorsey Ratliff	J. E. Walters
B. T. Morris	Denny P. Smith	Robert Williams
H. L. Nickell	H. L. Taylor	
Curtis F. Park	Elmer J. Terry	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 173. An Act relating to Roads and Highways, and creating Road Project No. — extending from Jefferson Davis Highway in Todd County to the Dixie Bee Line in Todd County, as a State Primary Road.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is established and created a Road project No. — extending from a point near Jno. W. Keeling's, in the Jefferson Davis highway, thence passing through the Bell's Chapel neighborhood to a point near G. A. McElwain's in the Dixie Bee Line, all of which is in Todd county, Ky., and thus forming a connection between the Jefferson Davis Highway and the Dixie Bee Line Highway. The said project thus established shall be a part of the Primary road system of this Commonwealth and the same shall be entitled to all of

the benefits and subject to all laws now in existence or to be hereinafter enacted.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 174. An Act stablishing state primary road project number— from Garrison in Lewis County to Carter in Carter County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at the Ingles Highway at Garrison in Lewis County, thence by the way of Ruggles to Carter Post. Office in Carter County, approximately nine miles in length, be and the same is hereby established and designated as a part of the primary system of State Highways of the Commonwealth of Kentucky to be known as State Primary Road Project No.—.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 Acts of General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 179. An Act relating to roads and highways and describing and fixing a project to be added to the Primary System of Roads and Highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road leading from Sacramento in McLean county via Stringtown to the Brazzel bridge over Pond river, thence to Providence church in Hopkins county via Pritchett's school house.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Elmer Cook	J. W. Edwards
U. G. Anderson	Leonard Cook	William A. Eimer
W. O. Baxter	W. W. Cooper	Virgil Eversole
S. A. Blackburn	Ben L. Cox	John B. Furlong
D. C. Bradley	H. G. Crabtree	F. A. Gnau
T. L. Britton	William J. Curtis	L. B. Hamilton
John Young Brown	Winn Davis	H. G. Handmaker
John R. Buckman	James R. Dorman	C. E. Houk
James A. Campbell	C. B. Dowling	R. L. Jackson
Bradley Combs	W. C. Dugan	Grover C. Johnson

J. Roy Johnson	Clarence Miller	Denny P. Smith
Theron M. Johnson	Russell O. Miller	H. L. Taylor
M. F. Jordan	M. F. Moore	Elmer J. Terry
John B. Klefot	B. T. Morris	E. J. Thomas
Frank LeBus	H. L. Nickell	J. A. Thompson
Martin Light	Curtis F. Park	Thomas H. Troxel
H. R. Marquette	James I. Peters	H. Speed Tye
B. K. Marshall, Jr.	John H. Pickett	J. E. Walters
Joseph Martin	John W. Preston	Robert Williams
James A. May	W. E. Randall	
Harry J. Meyers	Dorsey Ratliff	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 197. An Act establishing as a State Primary Road Project, a road leading from Lower Marsh Creek Church House on Project 22-C, in McCreary County, to the Kentucky and Tennessee line at the mouth of Rock Creek, and designating same as Project No. 22.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road leading from Lower Marsh Creek Church House on Project No. 22-C in McCreary County to the Kentucky and Tennessee line at the mouth of Rock Creek, via Crickmore Post Office, be and the same is hereby established as a part of the State Primary Road System, and subject to all the terms and conditions of the primary system of State highways, said road to be designated as Project No. 22.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	John H. Pickett
John Young Brown	C. E. Houk	John W. Preston
John R. Buckman	R. L. Jackson	James I. Peters
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 213. An Act placing in the State highway system a road leading from the Marion-Fords Ferry highway at Flanary place in Crittenden County to Elizabethtown, Illinois, to be known as State Primary Project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from the Marion-Fords Ferry Highway at Flanary place near Hebron in Crittenden County, thence via Ed Cook's to vicinity of Hurricane Camp Ground, and thence to vicinity of Tolu, thence to Elizabethtown Ferry, opposite Elizabethtown, the county seat of Hardin County, Illinois, be and the same is bereby designated as a part of the primary system of State Roads known as Project No. —.

§ 2. The construction, maintenance, supervision and control of said project shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 224. An Act establishing as a part of the primary road system of the State Highways of the Commonwealth of Kentucky a road leading from the Jacktown and Hustonville primary road at a point near the W. A. Spragens farm in

Casey County to a point in the Danville and Lebanon State Highway in Marion County by way of Gravel Switch, Kentucky, and designating same as State project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary road system of the Commonwealth of Kentucky a road beginning at a point in the Jacktown and Hustonville primary road at or near the farm of W. A. Spragens in Casey County, thence northwardly over and through Coulter's Gap to the Little South Rolling Fork, thence down the Little South Rolling Fork to what is known as the Rolling Fork Bridge, thence following the old road as near as practicable to Scrubb Grass near North Rolling Fork Church, thence following old road as near as practicable to Gravel Switch in Marion County, thence to the Danville and Lebanon State Highway in Marion County. The distance of this project is approximately twelve (12) miles.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a Primary Road System of State Highways, and same shall be designated as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 230. An Act relating to roads and highways; providing for making a part of the primary road system of the Commonwealth of Kentucky a project running from New Concord, in Calloway county, Kentucky, to the Kentucky and Tennessee State line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be and now is established as a part of the primary road system of the Commonwealth of Kentucky the following to be designated as Project No. —, running from New Concord, Calloway county, Kentucky, to the Kentucky and Tennessee State line.

§ 2. The said project, designated in Section 1 of this act, shall be a part of the primary system of highways and be entitled to all the benefits and subject to all the laws now, or that may hereafter be enacted with relation to same, and be added to the projects established by the Acts of the General Assembly of 1920, 1922, 1924, 1926 and 1928.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Bradley Combs	C. B. Dowling
U. G. Anderson	Elmer Cook	W. C. Dugan
W. O. Baxter	Leonard Cook	J. W. Edwards
S. A. Blackburn	W. W. Cooper	William A. Eimer
D. C. Bradley	Ben L. Cox	Virgil Eversole
T. L. Britton	H. G. Crabtree	John B. Furlong
John Young Brown	William J. Curtis	F. A. Gnau
John R. Buckman	Winn Davis	L. B. Hamilton
James A. Campbell	James R. Dorman	H. G. Handmaker

C. E. Houk	James A. May	Dorsey Ratliff
R. L. Jackson	Harry J. Meyers	Denny P. Smith
Grover C. Johnson	Clarence Miller	H. L. Taylor
J. Roy Johnson	Russell O. Miller	Elmer J. Terry
Theron M. Johnson	M. F. Moore	E. J. Thomas
M. F. Jordan	B. T. Morris	J. A. Thompson
John B. Klefot	H. L. Nickell	Thomas H. Troxel
Frank LeBus	Curtis F. Park	H. Speed Tye
Martin Light	James I. Peters	Robert Williams
H. R. Marquette	John H. Pickett	J. E. Walters
B. K. Marshall, Jr.	John W. Preston	
Joseph Martin	W. E. Randall	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 232. An Act stablishing a state primary road project, a road leading from Mavity, Boyd County, Kentucky, to Buchanan, Lawrence County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Mavity, Boyd County, Kentucky, to Buchanan, Lawrence County, Kentucky, by way of Big Sandy Bear Creek and Ellington's Bear Creek be and the same is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky.

§ 2. The construction, maintenance, supervision, and control of said highway shall be subject to all the terms and conditions as provided by law for establishing and creating the primary system of state highways.

§ 3. Said project when completed shall be known and designated as State Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 235. An Act establishing as a part of the primary system of State highways a road beginning at a point on highway No. 81, near Semiway to Poplar Grove.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky a road beginning at a point on state highway No. 81 near Semiway and running to Poplar Grove.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the day a bill entitled:

S. B. 236. An Act establishing as part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at Big Clifty, Grayson County, Kentucky, via Hughes Mill to Sonora, Hardin County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky, a road leading from Big Clifty, Grayson County, Kentucky, by Hughes Mill to Sonora, Hardin County, Kentucky.

§ 2. The construction, maintenance supervision and control of said road shall be subject to and controlled by the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly, 1920; establishing and creating a primary system of State Highways, the same as though said road had been designated in said original act as one of the projects therein.

All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John Young Brown	W. W. Cooper
U. G. Anderson	John R. Buckman	Ben L. Cox
W. O. Baxter	James A. Campbell	H. G. Crabtree
S. A. Blackburn	Bradley Combs	William J. Curtis
D. C. Bradley	Elmer Cook	Winn Davis
T. L. Britton	Leonard Cook	James R. Dorman

C. B. Dowling	John B. Klefot	John H. Pickett
W. C. Dugan	Frank LeBus	John W. Preston
J. W. Edwards	Martin Light	W. E. Randall
William A. Eimer	H. R. Marquette	Dorsey Ratliff
Virgil Eversole	B. K. Marshall, Jr.	Denny P. Smith
John B. Furlong	Joseph Martin	H. L. Taylor
F. A. Gnau	James A. May	Elmer J. Terry
L. B. Hamilton	Harry J. Meyers	E. J. Thomas
H. G. Handmaker	Clarence Miller	J. A. Thompson
C. E. Houk	Russell O. Miller	Thomas H. Troxel
R. L. Jackson	M. F. Moore	H. Speed Tye
Grover C. Johnson	B. T. Morris	J. E. Walters
J. Roy Johnson	H. L. Nickell	Robert Williams
Theron M. Johnson	Curtis F. Park	
M. F. Jordan	James I. Peters	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 237. An Act establishing as a part of the primary system of State highways a road beginning at Rumsey in McLean county to and connecting with road leading from Sacramento to Brazzle Bridge near the Barrett Farm, via Coffman Bridge and Poplar Grove.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State Highways of the Commonwealth of

Kentucky a road beginning at Rumsey in McLean county to and connecting with the road leading from Sacramento to Brazzle bridge over Pond river near the Barrett farm, via. Coffman bridge and Poplar Grove.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to and controlled by the provisions of chapter 17, of the acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William J. Curtis	J. Roy Johnson
U. G. Anderson	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	M. F. Jordan
S. A. Blackburn	C. B. Dowling	John B. Klefot
D. C. Bradley	W. C. Dugan	Frank LeBus
T. L. Britton	J. W. Edwards	Martin Light
John Young Brown	William A. Eimer	H. R. Marquette
John R. Buckman	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	John B. Furlong	Joseph Martin
Bradley Combs	F. A. Gnau	James A. May
Elmer Cook	L. B. Hamilton	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Clarence Miller
W. W. Cooper	C. E. Houk	Russell O. Miller
Ben L. Cox	R. L. Jackson	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris

H. L. Nickell	Dorsey Ratliff	Thomas H. Troxel
Curtis F. Park	Denny P. Smith	H. Speed Tye
James I. Peters	H. L. Taylor	J. E. Walters
John H. Pickett	Elmer J. Terry	Robert Williams
John W. Preston	E. J. Thomas	
W. E. Randall	J. A. Thompson	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 238. An Act establishing as a part of the Primary System of State Highways a road beginning at a point on the Owensboro and Calhoun road near Glenville and connecting with the Owensboro and Livermore road at Livia.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky a road beginning at a point on the Owensboro and Calhoun road near Glenville and connecting with the Owensboro and Livermore road at Livia.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 242. An Act establishing a state primary road project, a road leading from the Mayo Trail near the mouth of Garner, Boyd County, Kentucky, to the Ross Trail at Rush, Boyd County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assmbly of the Commonwealth of Kentucky:

§ 1. That the road leading from the Mayo Trail near the mouth of Garner, Boyd County, Kentucky, up Garner Creek to the mouth of Jack's Fork, connecting with the Ross Trail at Rush, Boyd County, Kentucky, be and the same is hereby established as part of the primary road system of state highways of the Commonwealth of Kentucky.

§ 2. The construction, maintenance, supervision, and control of said highway shall be subject to all the terms and conditions as provided by law for establishing and creating the primary system of state highways.

§ 3. Said project when completed shall be known and designated as Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of th Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 255. An Act establishing as a part of the primary system of State highways a road beginning on the Owenton-Sparta road, officially designated and known as Road No. 35, at a point near Bromley, in Owen County, thence via Poplar

Grove to Glencoe, in Gallatin County, thence to a point on the Federal highway, leading from Louisville to Cincinnati, at or near Sugar Creek, in Gallatin County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road beginning on the Owenton-Sparta road, officially designated and known as Road No. 35, at a point near Bromley, in Owen County, thence via poplar Grove to Glencoe, in Gallatin County, thence to a point on the Federal highway, leading from Louisville to Cincinnati, at or near Sugar Creek, in Gallatin County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. O. Baxter	D. C. Bradley
U. G. Anderson	S. A. Blackburn	T. L. Britton

John Young Brown	L. B. Hamilton	B. T. Morris
John R. Buckman	H. G. Handmaker	H. L. Nickell
James A. Campbell	C. E. Houk	Curtis F. Park
Bradley Combs	R. L. Jackson	James I. Peters
Elmer Cook	Grover C. Johnson	John H. Pickett
Leonard Cook	J. Roy Johnson	John W. Preston
W. W. Cooper	Theron M. Johnson	W. E. Randall
Ben L. Cox	M. F. Jordan	Dorsey Ratliff
H. G. Crabtree	John B. Klefot	Denny P. Smith
William J. Curtis	Frank LeBus	H. L. Taylor
Winn Davis	Martin Light	Elmer J. Terry
James R. Dorman	H. R. Marquette	E. J. Thomas
C. B. Dowling	B. K. Marshall, Jr.	J. A. Thompson
W. C. Dugan	Joseph Martin	Thomas H. Troxel
J. W. Edwards	James A. May	H. Speed Tye
William A. Eimer	Harry J. Meyers	J. E. Walters
Virgil Eversole	Clarence Miller	Robert Williams
John B. Furlong	Russell O. Miller	
F. A. Gnau	M. F. Moore	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 263. An Act establishing and creating, as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Neeley's Ferry in Cumberland County, Kentucky, and leading to Black's Ferry, Monroe County, Kentucky, via Kettle, Littrell and Stalcup, Cumberland County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Neeley's Ferry in Cumberland County, Kentucky, and leading to Black's Ferry in Monroe County, Kentucky, via Kettle, Littrell and Stalcup, Cumberland County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Elmer Cook	J. W. Edwards
U. G. Anderson	Leonard Cook	William A. Eimer
W. O. Baxter	W. W. Cooper	Virgil Eversole
S. A. Blackburn	Elmer Cook	John B. Furlong
D. C. Bradley	H. G. Crabtree	F. A. Gnau
T. L. Britton	William J. Curtis	L. B. Hamilton
John Young Brown	Winn Davis	H. G. Handmaker
John R. Buckman	James R. Dorman	C. E. Houk
James A. Campbell	C. B. Dowling	R. L. Jackson
Bradley Combs	W. C. Dugan	Grover C. Johnson

J. Roy Johnson	Clarence Miller	Denny P. Smith
Theron M. Johnson	Russell O. Miller	H. L. Taylor
M. F. Jordan	M. F. Moore	Elmer J. Terry
John B. Klefot	B. T. Morris	E. J. Thomas
Frank LeBus	H. L. Nickell	J. A. Thompson
Martin Light	Curtis F. Park	Thomas H. Troxel
H. R. Marquette	James I. Peters	H. Speed Tye
B. K. Marshall, Jr.	John H. Pickett	J. E. Walters
Joseph Martin	John W. Preston	Robert Williams
James A. May	W. E. Randall	
Harry J. Meyers	Dorsey Ratliff	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 265. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road leading from Randolph, Metcalfe county, through Kino in Barren county to a point on the Glasgow and Burksville road known as the Rowland place.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state roads and highways, a road leading from Randolph, Metcalfe county, Kino in Barren county to a point on the Glasgow and Burkesville road known as the Rowland place.

The construction, maintenance, supervision and control of said road shall be subject to all terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of State highways, and be entitled to and receive all benefits of such laws as are now or may hereafter be in effect with relation to primary System of State Highways.

All projects in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James R. Dorman	Frank LeBus
U. G. Anderson	C. B. Dowling	Martin Light
W. O. Baxter	W. C. Dugan	H. R. Marquette
S. A. Blackburn	J. W. Edwards	B. K. Marshall, Jr.
D. C. Bradley	William A. Eimer	Joseph Martin
T. L. Britton	Virgil Eversole	James A. May
John Young Brown	John B. Furlong	Harry J. Meyers
John R. Buckman	F. A. Gnau	Clarence Miller
James A. Campbell	L. B. Hamilton	Russell O. Miller
Bradley Combs	H. G. Handmaker	M. F. Moore
Elmer Cook	C. E. Houk	B. T. Morris
Leonard Cook	R. L. Jackson	H. L. Nickell
W. W. Cooper	Grover C. Johnson	Curtis F. Park
Ben L. Cox	J. Roy Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
William J. Curtis	M. F. Jordan	John W. Preston
Winn Davis	John B. Klefot	W. E. Randall

Dorsey Ratliff	E. J. Thomas	J. E. Walters
Denny P. Smith	J. A. Thompson	Robert Williams
H. L. Taylor	Thomas H. Troxel	
Elmer J. Terry	H. Speed Tye	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 268. An Act to establish a primary road project from Conley's Store, on road No. 60, in Carter county, to Argillite in Greenup county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from at or near Conley's Store, on Wilson Creek, on Highway No. 60, in Carter county, and leading to Agrillite in Greenup county, distance of thirteen miles (13) be and the same is hereby established and designated as a part of the primary system of roads of the commonwealth of Kentucky; to be known as Project No. ——.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 271. An Act to establish a road from Bedford in Trimble county to the Louisville and Cincinnati road at Harrod's Creek Bridge in Jefferson county, as a part of the primary system of the State highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways, a road from Bedford in Trimble county to the Louisville and Cincinnati road at Harrods Creek Bridge in Jefferson county, via Covington Church, Mouth of Hurricane and Westport in Oldham county, Axton landing and Belknap Beach in Jefferson county.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James A. Campbell	Winn Davis
U. G. Anderson	Bradley Combs	James R. Dorman
W. O. Baxter	Elmer Cook	C. B. Dowling
S. A. Blackburn	Leonard Cook	W. C. Dugan
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree.	Virgil Eversole
John R. Buckman	William J. Curtis	John B. Furlong

F. A. Gnau	B. K. Marshall, Jr.	W. E. Randall
L. B. Hamilton	Joseph Martin	Dorsey Ratliff
H. G. Handmaker	James A. May	Denny P. Smith
C. E. Houk	Harry J. Meyers	H. L. Taylor
R. L. Jackson	Clarence Miller	Elmer J. Terry
Grover C. Johnson	Russell O. Miller	E. J. Thomas
J. Roy Johnson	M. F. Moore	J. A. Thompson
Theron M. Johnson	B. T. Morris	Thomas H. Troxel
M. F. Jordan	H. L. Nickell	H. Speed Tye
John B. Klefot	Curtis F. Park	J. E. Walters
Frank LeBus	James I. Peters	Robert Williams
Martin Light	John H. Pickett	
H. R. Marquette	John W. Preston	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 274. An Act relating to roads and highways; providing for making a part of the primary road system of the Commonwealth of Kentucky a project running from the Tennessee river at or near Forts Henry and Heiman, west with or approximate to the Kentucky and Tennessee State line, via Hazel, Kentucky, to Boydsville, Kentucky, to be known as the State line highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there shall be, and now is established, as a part of the primary road system of the Commonwealth of

Kentucky the following to be designated as Project No. ——, running from the Tennessee river to or near Forts Henry and Heiman, west with or approximate to the Kentucky and Tennessee State line, via Hazel, Kentucky, to Boydsville, Kentucky, to be known as the State Line Highway.

§ 2. The said project designated in section 1 of this Act shall be a part of the primary system of highways, and be entitled to all the benefits and subject to all laws now or that may hereafter be enacted with relation to same, and be added to the projects established by the Acts of the General Assembly of 1920, 1922, 1924, 1926 and 1928.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Ben L. Cox	H. G. Handmaker
U. G. Anderson	H. G. Crabtree	C. E. Houk
W. O. Baxter	William J. Curtis	R. L. Jackson
S. A. Blackburn	Winn Davis	Grover C. Johnson
D. C. Bradley	James R. Dorman	J. Roy Johnson
T. L. Britton	C. B. Dowling	Theron M. Johnson
John Young Brown	W. C. Dugan	M. F. Jordan
John R. Buckman	J. W. Edwards	John B. Klefot
James A. Campbell	William A. Eimer	Frank LeBus
Bradley Combs	Ralph Gilbert	Martin Light
Elmer Cook	John B. Furlong	H. R. Marquette
Leonard Cook	F. A. Gnau	B. K. Marshall, Jr.
W. W. Cooper	L. B. Hamilton	Joseph Martin

James A. May	James I. Peters	E. J. Thomas
Harry J. Meyers	John H. Pickett	J. A. Thompson
Clarence Miller	John W. Preston	Thomas H. Troxel
Russell O. Miller	W. E. Randall	H. Speed Tye
M. F. Moore	Dorsey Ratliff	J. E. Walters
B. T. Morris	Denny P. Smith	Robert Williams
H. L. Nickell	H. L. Taylor	
Curtis F. Park	Elmer J. Terry	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 276. An Act establishing a State Primary Road project, road leading from United States Project No. 25, at Livingston Graded School, passing through Livingston, crossing Rockcastle River near L. & N. Railroad bridge, then leading in an easterly direction by way of Wild Cat Battle Field, along Winding Blade Road, intersecting with United States Route No. 25, at or near Mershons, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Livingston, beginning or intersecting with United States Project No. 25, at or near Graded School in town of Livingston, Kentucky, and passing through Livingston, crossing Rockcastle River near L. & N. Railroad Bridge, then leading in an easterly direction by the way of Wild Cat Battle Field along the Winding Blade Road,

intersecting with U. S. Project No. 25, at or near Mershons, Kentucky, by the most direct, practical or economical route, be and the same is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to all the terms and conditions, as provided by law establishing and creating the primary system of State Highways.

§ 3. Said project when completed will be known and designated as State Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	H. G. Crabtree	R. L. Jackson
U. G. Anderson	William J. Curtis	Grover C. Johnson
W. O. Baxter	Winn Davis	J. Roy Johnson
S. A. Blackburn	James R. Dorman	Theron M. Johnson
D. C. Bradley	C. B. Dowling	M. F. Jordan
T. L. Britton	W. C. Dugan	John B. Klefot
John Young Brown	J. W. Edwards	Frank LeBus
John R. Buckman	William A. Eimer	Martin Light
James A. Campbell	Virgil Eversole	H. R. Marquette
Bradley Combs	John B. Furlong	B. K. Marshall, Jr.
Elmer Cook	F. A. Gnau	Joseph Martin
Leonard Cook	L. B. Hamilton	James A. May
W. W. Cooper	H. G. Handmaker	Harry J. Meyers
Ben L. Cox	C. E. Houk	Clarence Miller

Russell O. Miller	John W. Preston	J. A. Thompson
M. F. Moore	W. E. Randall	Thomas H. Troxel
B. T. Morris	Dorsey Ratliff	H. Speed Tye
H. L. Nickell	Denny P. Smith	J. E. Walters
Curtis F. Park	H. L. Taylor	Robert Williams
James I. Peters	Elmer J. Terry	
John H. Pickett	E. J. Thomas	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 280. An Act establishing and creating, as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at or near the residence of U. G. Boyles on Sulphur Creek, Monroe County, in the primary road running from Burkesville to Tompkinsville and leading to a point in the primary project that leads from Burkesville, Cumberland County, to the Kentucky-Tennessee State line, near the residence of the late John Jones in Monroe County, via McMillin's Landing and through Turkey Neck Bend.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created, as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at or near the residence of U. G. Boyles on Sulphur Creek, Monroe County,

in the primary road running from Burkesville to Tompkinsville, and leading to a point in the primary project that leads from Burkesville, Cumberland County, to the Kentucky-Tennessee State line, near the residence of the late John Jones in Monroe County, via McMillin's Landing and through Turkey Neck Bend.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	H. G. Crabtree	R. L. Jackson
U. G. Anderson	William J. Curtis	Grover C. Johnson
W. O. Baxter	Winn Davis	J. Roy Johnson
S. A. Blackburn	James R. Dorman	Theron M. Johnson
D. C. Bradley	C. B. Dowling	M. F. Jordan
T. L. Britton	W. C. Dugan	John B. Klefot
John Young Brown	J. W. Edwards	Frank LeBus
John R. Buckman	William A. Eimer	Martin Light
James A. Campbell	Virgil Eversole	H. R. Marquette
Bradley Combs	John B. Furlong	B. K. Marshall, Jr.
Elmer Cook	F. A. Gnau	Joseph Martin
Leonard Cook	L. B. Hamilton	James A. May
W. W. Cooper	H. G. Handmaker	Harry J. Meyers
Ben L. Cox	C. E. Houk	Clarence Miller

Russell O. Miller	John W. Preston	J. A. Thompson
M. F. Moore	W. E. Randall	Thomas H. Troxel
B. T. Morris	Dorsey Ratliff	H. Speed Tye
H. L. Nickell	Denny P. Smith	J. E. Walters
Curtis F. Park	H. L. Taylor	Robert Williams
James I. Peters	Elmer J. Terry	
John H. Pickett	E. J. Thomas	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 282. An Act establishing as a part of the primary system of State highways a road from Richmond, in Madison County, to Paint Lick, in Garrard County, over the most direct and practical route to be selected by the State Highway Engineer with the approval of the State Highway Commission.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road from Richmond, in Madison County, to Paint Lick, in Garrard County, over the most direct and practical route to be selected by the State Highway Engineer with the approval of the State Highway Commission.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the

provisions of Chapter 17 of the Acts of the General Assembly as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

§ 3. All Acts and parts of Acts in conflict herewith to the extent of such conflict are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordanc with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	C. E. Houk	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	James A. May	J. E. Walters
C. B. Dowling	Joseph Martin	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for considration from the Orders of the Day a bill entitled:

S. B. 284. An Act establishing and creating, as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Vernon, Monroe County, Kentucky, and leading to the Kentucky-Tennessee State line at the G. W. Stephens residence, a distance of about two miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created, as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Vernon, Monroe County, Kentucky, and leading to the Kentucky-Tennessee State line at the G. W. Stephens residence, a distance of two miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 285. An Act entitled "An Act to establish as a part of the primary road system of the State of Kentucky, a road leading from United States Highway No. 45, at a point at or near Wingo, Kentucky, to Sedalia, Kentucky, to intersect with Project No. 9, all in Graves County, Kentucky, and same to be known as Project No. —."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the State of Kentucky a road leading from United States Highway No. 45, at a point at or near Wingo, Kentucky, to Sedalia, Kentucky, to intersect with Project No. 9, all in Graves County, Kentucky, and same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to all the terms and conditions as provided by law for establishing and creating primary system of the State of Kentucky.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays bein taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 286. An Act entitled "An Act to establish as a part of the primary system of the State of Kentucky, a road leading from Mayfield, Kentucky, by the way of Dublin, in Graves County, to Clinton, in Hickman County, Kentucky, and to be known as Project No. —."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary road system of the State of Kentucky a road leading from Mayfield, Kentucky, by the way of Dublin, in Graves County, to Clinton, in Hickman County, Kentucky, and to be known as Project No. —.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to all the terms and conditions as provided by law for establishing and creating primary system of the State of Kentucky.

All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Bradley Combs	C. B. Dowling
U. G. Anderson	Elmer Cook	W. C. Dugan
W. O. Baxter	Leonard Cook	J. W. Edwards
S. A. Blackburn	W. W. Cooper	William A. Eimer
D. C. Bradley	Ben L. Cox	Virgil Eversole
T. L. Britton	H. G. Crabtree	John B. Furlong
John Young Brown	William J. Curtis	F. A. Gnau
John R. Buckman	Winn Davis	L. B. Hamilton
James A. Campbell	James R. Dorman	H. G. Handmaker

C. E. Houk	James A. May	Dorsey Ratliff
R. L. Jackson	Harry J. Meyers	Denny P. Smith
Grover C. Johnson	Clarence Miller	H. L. Taylor
J. Roy Johnson	Russell O. Miller	Elmer J. Terry
Theron M. Johnson	M. F. Moore	E. J. Thomas
M. F. Jordan	B. T. Morris	J. A. Thompson
John B. Klefot	H. L. Nickell	Thomas H. Troxel
Frank LeBus	Curtis F. Park	H. Speed Tye
Martin Light	James I. Peters	J. E. Walters
H. R. Marquette	John H. Pickett	Robert Williams
B. K. Marshall, Jr.	John W. Preston	
Joseph Martin	W. E. Randall	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 288. An Act establishing a State primary road project leading from Bloomington, in Haridn County, via Steels Cross Roads to connect with the road leading from Elizabethtown in Hardin County, to Belmont in Bullitt County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of the Commonwealth of Kentucky, a road leading from the Dixie Highway at or near Bloomington, in Hardin County, via Steels Cross Roads and the Smith Hill

to intersect with the road leading from Elizabethtown, Hardin County, to Belmont, Bullitt County.

Subject to all conditions set out and provided in Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, establishing and creating a primary system of State highways.

Ordered that said be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 312. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from the Owensboro and Calhoun road, at a point just north of Calhoun, via Guffie and Panther, to a point in the Owensboro and Calhoun road, near Moseleyville.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the Owensboro and Calhoun road at a point just North of Calhoun, McLean county, at the corner of the cemetery, through Guffie, McLean county, and through Panther, Daviess county, to a point in the Owensboro and Calhoun road, near Moseleyville, Daviess county.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all of the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of roads and highways, the same as though said road had been named in said original act as one of the projects of the said primary system of highways of the Commonwealth of Kentucky.

The State Highway Commission is hereby directed to assign the said road above named an appropriate number.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 313. An Act establishing as a part of the primary system of State highways of the Commonwealth of Kentucky, a road running from the Owensboro-Calhoun road, near the schoolhouse at Glenville due West via Guffie to intersect at Calhoun-Beech Grove road at Glover's Schoolhouse.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road leading from the Owensboro and Calhoun road—now a part of the State highway system—near the school house at Glenville, McLean county, running due West through Guffie, McLean county, and intersecting the Calhoun and Beech Grove road at Glover's school house in McLean county, a distance of about eight miles.

§ 2. The construction, maintenance and supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original act as one of the projects of the said primary system of state highways.

§ 3. The State Highway Commission is hereby directed to assign the said road above named an appropriate project number.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	Joseph Martin	H. Speed Tye
James R. Dorman	B. K. Marshall, Jr.	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 314. An Act establishing State Primary Road Project No. —— from Rumsey in McLean County and connecting with the Sacramento road at Barrett's farm.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at Rumsey in McLean County on road No. 81 extending to and connecting with the Sacramento road at Barrett's farm via of Coffman bridge and Poplar Grove.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of General Assembly of 1920, establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	S. A. Blackburn	John Young Brown
U. G. Anderson	D. C. Bradley	John R. Buckman
W. O. Baxter	T. L. Britton	James A. Campbell

Bradley Combs	C. E Houk	H. L. Nickell
Elmer Cook	R. L. Jackson	Curtis F. Park
Leonard Cook	J. Roy Johnson	James I. Peters
W. W. Cooper	Theron M. Johnson	John H. Pickett
Ben L. Cox	Grover C. Johnson	John W. Preston
H. G. Crabtree	M. F. Jordan	W. E. Randall
William J. Curtis	John B. Klefot	Dorsey Ratliff
Winn Davis	Frank LeBus	Denny P. Smith
James R. Dorman	Martin Light	H. L. Taylor
C. B. Dowling	H. R. Marquette	Elmer J. Terry
W. C. Dugan	B. K. Marshall, Jr.	E. J. Thomas
J. W. Edwards	Joseph Martin	J. A. Thompson
William A. Eimer	James A. May	Thomas H. Troxel
Virgil Eversole	Harry J. Meyers	H. Speed Tye
John B. Furlong	Clarence Miller	J. E. Walters
F. A. Gnau	Russell O. Miller	Robert Williams
L. B. Hamilton	M. F. Moore	
H. G. Handmaker	B. T. Morris	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 318. An Act establishing as part of the primary system of state roads a road beginning at Hardyville, Hart County, Ky., and leading to Munfordville, County Seat of Hart County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as part of the primary system of the State Highways of the Commonwealth of Ken-

tucky a road beginning at Hardyville, in Hart County, Ky., and running thence by the Morris Place to the Dixie Highway and intersecting said Dixie Highway at Woodsonville, thence to Munfordville, the County seat of Hart County.

The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William J. Curtis	J. Roy Johnson
U. G. Anderson	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	M. F. Jordan
S. A. Blackburn	C. B. Dowling	John B. Klefot
D. C. Bradley	W. C. Dugan	Frank LeBus
T. L. Britton	J. W. Edwards	Martin Light
John Young Brown	William A. Eimer	H. R. Marquette
John R. Buckman	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	John B. Furlong	Joseph Martin
Bradley Combs	F. A. Gnau	James A. May
Elmer Cook	L. B. Hamilton	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Clarence Miller
W. W. Cooper	C. E. Houk	Russell O. Miller
Ben L. Cox	R. L. Jackson	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris

H. L. Nickell	Dorsey Ratliff	Thomas H. Troxel
Curtis F. Park	Denny P. Smith	H. Speed Tye
James I. Peters	H. L. Taylor	J. E. Walters
John H. Pickett	Elmer J. Terry	Robert Williams
John W. Preston	E. J. Thomas	
W. E. Randall	J. A. Thompson	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 319. An Act establishing as part of the primary system of State Highways a road beginning at Cub Run in Hart County and running thence by Dog Creek and Chapel Ford bridge across Nolin river thence to and intersecting the Clarkson and Mammoth Cave road at Peonia in Grayson County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as part of the primary system of State Highways of the Commonwealth of Kentucky a road beginning at Cub Run in Hart County and thence by Dog Creek thence to Chapel Ford Bridge across Nolin river thence to the Clarkson and Mammoth Cave road at Peonia in Grayson County.

The construction maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of

1920 as amended, to have same effect as if said road had been named in the original Act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 321. An Act to establish a primary road project to be known as project No. —, to begin at Morgantown, the county seat of Butler County, and to extend to Brownsville in Edmonson County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a road leading from Morgantown, county seat of Butler County, Kentucky, to Brownsville in Edmonson County, Kentucky, via Aberdeen, Monford, Flener's Bridge, Vineyard, and Round Hill, be and the same is hereby established and designated as a part of the primary system of State Highways of the Commonwealth of Kentucky, to be known as State Primary Road Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 332. An Act establishing and designating the road beginning at the City limits of Lexington in Fayette County, Kentucky, known as the Bryant's Station Road, to the Bourbon County line, consisting of seven miles, a part of the Primary System of State Roads, to be known as State Primary Road Project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

§ 1. That the road beginning at the City limits of Lexington known as the Bryant's Station Road, leading to the Bourbon County line, consisting of about seven miles, be and the same is hereby designated as a part of the primary system of State Roads, to be known as State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision, and control of said project shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a Primary System of State Roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Bradley Combs	C. B. Dowling
U. G. Anderson	Elmer Cook	W. C. Dugan
W. O. Baxter	Leonard Cook	J. W. Edwards
S. A. Blackburn	W. W. Cooper	William A. Eimer
D. C. Bradley	Ben L. Cox	Virgil Eversole
T. L. Britton	H. G. Crabtree	John B. Furlong
John Young Brown	William J. Curtis	F. A. Gnau
John R. Buckman	Winn Davis	L. B. Hamilton
James A. Campbell	James R. Dorman	H. G. Handmaker

C. E. Houk	James A. May	Dorsey Ratliff
R. L. Jackson	Harry J. Meyers	Denny P. Smith
Grover C. Johnson	Russell O. Miller	H. L. Taylor
J. Roy Johnson	M. F. Moore	Elmer J. Terry
Theron M. Johnson	Clarence Miller	E. J. Thomas
M. F. Jordan	B. T. Morris	J. A. Thompson
John B. Klefot	H. L. Nickell	Thomas H. Troxel
Frank LeBus	Curtis F. Park	H. Speed Tye
Martin Light	James I. Peters	J. E. Walters
H. R. Marquette	John H. Pickett	Robert Williams
B. K. Marshall, Jr.	John W. Preston	
Joseph Martin	W. E. Randall	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 350. An Act establishing as a part of the primary system of State highways a road leading from Pellyton in Adair County to, or near, Creston in Casey County, following as nearly as practicable the Barnett's Creek road, same connecting the Columbia-Dunnville road, Project No. 23, and the Campbellsville-Liberty road, State Project No. 154, and designating same as Project No. 154x.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary system of the State highways a road leading from Pellyton

in Adair County to or near Creston in Casey County and following as nearly as practicable the Barnett's Creek road, same connecting the Columbia-Dunnville road, State Project No. 23, with the Campbellsville-Liberty road, Project No. 154, and that same be designated as Project No. 154x.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 377. An Act creating and establishing as a part of the primary system of the State highways of the Commonwealth of Kentucky a road running from King's Chapel Church in Trigg County, Kentucky, via Gracey to Julian in Christian County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the primary system of the State highways of the Commonwealth of Kentucky a road running from King's Chapel Church in Trigg County, Kentucky, via Gracey to Julian in Christian County, Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 386. An Act establishing and making the road from and beginning at Carlisle, Nicholas County, Kentucky, at the end of the street leading from Project No. 32, and running by way of the Carlisle & Plum Lick Turnpike to the

intersection of the Paris & Plum Lick Turnpike, thence over the Paris and Plum Lick Turnpike to Plum Lick, thence over the Flat Rock and Judy Turnpike to the intersection of Fields Highway at Judy, Montgomery County, Kentucky, a part of the Primary System of the State Highways of the Commonwealth of Kentucky. This Project shall be known as Project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road beginning at the City limits of Carlisle, Nicholas County, Kentucky, at the end of the street leading from Project No. 32, and running by way of the Carlisle & Plum Lick Turnpike, intersecting the Paris & Plum Lick Turnpike, thence over the Paris and Plum Lick Turnpike to Plum Lick, and thence over the Flat Rock and Judy Turnpike to the intersection of Fields Highway at Judy, Montgomery County, Ky., Project No. —, and approximately a distance of fifteen (15) miles, be and the same is hereby made a part of the Primary System of State Highways of the Commonwealth of Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a Primary System of State Highways.

§ 2. Said road shall be known as Project No. —

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 388. An Act to amend Section 4356t-5 of Baldwin's Supplement to Carroll's Kentucky Statutes, 1928 Edition by adding thereto Primary road Project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the Primary Road System a road beginning at the town of Mt. Olivet in Robertson County, thence via of Central Ridge to the Harrison County line and intersecting State Highway No. 19, at or near the village of Claysville.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. W. Cooper	F. A. Gnau
U. G. Anderson	Ben L. Cox	L. B. Hamilton
W. O. Baxter	H. G. Crabtree	H. G. Handmaker
S. A. Blackburn	William J. Curtis	C. E. Houk
D. C. Bradley	Winn Davis	R. L. Jackson
T. L. Britton	James R. Dorman	Grover C. Johnson
John Young Brown	C. B. Dowling	J. Roy Johnson
John R. Buckman	W. C. Dugan	Theron M. Johnson
James A. Campbell	J. W. Edwards	M. F. Jordan
Bradley Combs	William A. Eimer	John B. Klefot
Elmer Cook	Virgil Eversole	Frank LeBus
Leonard Cook	John B. Furlong	Martin Light

H. R. Marquette	H. L. Nickell	Elmer J. Terry
B. K. Marshall, Jr.	Curtis F. Park	E. J. Thomas
Joseph Martin	James I. Peters	J. A. Thompson
James A. May	John H. Pickett	Thomas H. Troxel
Harry J. Meyers	John W. Preston	H. Speed Tye
Clarence Miller	W. E. Randall	J. E. Walters
Russell O. Miller	Dorsey Ratliff	Robert Williams
M. F. Moore	Denny P. Smith	
B. T. Morris	H. L. Taylor	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 389. An Act to amend Section 4356-5 of Baldwin's Supplement to Carroll's Kentucky Statutes, 1928 Edition by adding thereto Primary Road Project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the Primary road system, a road beginning at or near the Heck Jett Bridge in Bracken County, thence via Oakland and intersecting State Highway No. 19 at or near the Nesbit Place.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for conisderation from the Orders of the Day a bill entitled:

S. B. 391. An Act establishing and creating, as a part of the primary system of roads and highways of the Common-

wealth of Kentucky, a road beginning in project No. 37 at Flippin, Monroe County, and leading to Hood's Shop on the Tompkinsville-Glasgow pike, via Jeffrey.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created, as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning in project No. 37 at Flippin, Monroe County, and leading to Hood's Shop on the Tompkinsville-Glasgow pike, via Jeffrey. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John Young Brown	W. W. Cooper
U. G. Anderson	John R. Buckman	Ben L. Cox
W. O. Baxter	James A. Campbell	H. G. Crabtree
S. A. Blackburn	Bradley Combs	William J. Curtis
D. C. Bradley	Elmer Cook	Winn Davis
T. L. Britton	Leonard Cook	James R. Dorman

C. B. Dowling	John B. Klefot	John H. Pickett
W. C. Dugan	Frank LeBus	John W. Preston
J. W. Edwards	Martin Light	W. E. Randall
William A. Eimer	H. R. Marquette	Dorsey Ratliff
Virgil Eversole	B. K. Marshall, Jr.	Denny P. Smith
John B. Furlong	Joseph Martin	H. L. Taylor
F. A. Gnau	James A. May	Elmer J. Terry
L. B. Hamilton	Harry J. Meyers	E. J. Thomas
H. G. Handmaker	Clarence Miller	J. A. Thompson
C. E Houk	Russell O. Miller	Thomas H. Troxel
R. L. Jackson	M. F. Moore	H. Speed Tye
Grover C. Johnson	B. T. Morris	J. E. Walters
J. Roy Johnson	H. L. Nickell	Robert Williams
Theron M. Johnson	Curtis F. Park	
M. F. Jordan	James I. Peters	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 395. An Act to add to the primary system a road leading from Clay City, Powell County, on the K. V. Highway, to the highway at the head of Cow Creek, in Estill County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the following road be added to the primary system beginning at Clay City, Powell County, on the K. V. Highway, and running up main Big Hardix Creek to the top of the moun-

tain in Estill County, thence down Tipton Ridge to the highway at the head of Cow Creek, in Estill County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 396. An Act to add to the primary system a road leading from Bowen, on the K. V. Highway, in Powell County, to the Garrett Highway east of Jeffersonville, in Montgomery County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the following road be added to the primary system beginning on the K. V. Highway at Bowen, in Powell County, and running across to Cow Creek, thence up Cow Creek to Logan Fork, thence up Logan Fork and across the mountain to Spencer and down Spencer to the Garrett Highway just east of Jeffersonville, in Montgomery County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 433. An Act to establish as a part of the primary system of state highways a road beginning at a point on Federal Highway No. 25, between London and Williamsburg, and running to Mammoth Cave in Edmonson County, to be known and designated as the Hiram Brock Highway.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways in this state a road beginning at a point on Federal Highway No. 25, between London and Williamsburg, said point to be designated and determined by the State Highway Department, and running westward from said point by and crossing Cumberland River at or near Cumberland Falls, thence westward to Whitley City in McCreary County, thence westward to Monticello in Wayne County, thence in a southwesterly direction to Albany in Clinton County, thence westward to Burkesville in Cumberland County, thence to Willow Shade, thence to Glasgow in Barren County, thence north to Bear Wallow, thence to Horse Cave, thence southward to Cave City, thence to Mammoth Cave in Edmonson County, the mileage of said road to be approximately 240 miles, and the same to be designated the Hiram Brock Highway.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cock	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 515. An Act relating to public roads and amending section 4356t-5 of article 2 of Chapter 282 of Kentucky Statutes 1928 edition and amending section 4356t-5 of article 2 of Chapter 497 of Kentucky Statutes 1928 edition.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

An Act relating to public roads and amending section 4356t-5 of Article 2 of Chapter 282 of Kentucky Statutes 1928 edition and amending section 4356t-5 of Article 2 of Chapter 497 of Kentucky Statutes 1928 edition, by inserting in lieu thereof Project No. —, extending from a point in the Louisville and Cincinnati Highway, near Jack Morgan's store at Sligo, in Henry County, thence by the route of the dirt lane by way of Pendleton to an intersection with State Project No. 19, the New Castle and La-grange Road, near Parkhurst.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Leonard Cook	Virgil Eversole
U. G. Anderson	W. W. Cooper	John B. Furlong
W. O. Baxter	Ben L. Cox	F. A. Gnau
S. A. Blackburn	H. G. Crabtree	L. B. Hamilton
D. C. Bradley	William J. Curtis	H. G. Handmaker
T. L. Britton	Winn Davis	C. E. Houk
John Young Brown	James R. Dorman	R. L. Jackson
John R. Buckman	C. B. Dowling	Grover C. Johnson
James A. Campbell	W. C. Dugan	Roy J. Johnson
Bradley Combs	J. W. Edwards	Theron M. Johnson
Elmer Cook	William A. Eimer	M. F. Jordan

John B. Klefot	M. F. Moore	H. L. Taylor
Frank LeBus	B. T. Morris	Elmer J. Terry
Martin Light	H. L. Nickell	E. J. Thomas
H. R. Marquette	Curtis F. Park	J. A. Thompson
B. K. Marshall, Jr.	James I. Peters	Thomas H. Troxel
Joseph Martin	John H. Pickett	Speed H. Tye
James A. May	John W. Preston	J. E. Walters
Harry J. Meyers	W. E. Randall	Robert Williams
Clarence Miller	Dorsey Ratliff	
Russell O. Miller	Denny P. Smith	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 566. An Act establishing as a part of the primary system of state highways a road leading from Pellyton in Adair county to, or near, Creston in Casey county, following as nearly as practicable the Barnetts Creek road, same connecting the Columbia-Dunnville road, Project No. 23, and the Campbellsville-Liberty road, State Project No. 154, and designating same as Project No. 154x.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of the State highways a road leading from Pellyton in Adair county to or near Creston in Casey county and following as nearly as practicable the Barnett's creek road, same

connecting the Columbia-Dunnville road, Stat Project No. 23, with the Campbellsville-Liberty road, Project No. 154, and that same be designated as Project No. 154x.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	Harry J. Meyers	Robert Williams
W. C. Dugan	Clarence Miller	
J. W. Edwards	James A. May	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 568. An Act establishing as a State Primary Road Project the highway leading from Geyer bridge, Boyd county, Kentucky, to Honeywell, Greenup county, Kentucky, to be known as Col. Chas. F. Weaver Highway.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Hoods creek, State highway near Geyer bridge, Boyd county, Kentucky, down East Fork, up Rush creek through Low Gap and down the creek to Honeywell, Grenup county, Kentucky, to intersect with Grenup-Grayson highway by the most direct, practical or economical route, be and the same is hereby established as part of the primary system of state highways of this Commonwealth.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to all of the terms and conditions as provided by law establishing and creating the primary system of State highways.

§ 3. Said road shall be designated and known as Col. Charles F. Weaver Highway.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 570. An Act to establish as a part of the primary system of state highways of the Commonwealth of Kentucky a road from Elk Creek Church in Spencer County to Little Mount in Spencer County, by way of Normandy and Rivals.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road running from Elk Creek Church in Spencer County to Little Mount in Spencer County, by way of Normandy, thence by way of Rivals, Spencer County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	T. L. Britton	Elmer Cook
U. G. Anderson	John Young Brown	Leonard Cook
W. O. Baxter	John R. Buckman	W. W. Cooper
S. A. Blackburn	James A. Campbell	Ben L. Cox
D. C. Bradley	Bradley Combs	H. G. Crabtree

William J. Curtis	Theron M. Johnson	James I. Peters
Winn Davis	M. F. Jordan	John H. Pickett
James R. Dorman	John B. Klefot	John W. Preston
C. B. Dowling	Frank LeBus	W. E. Randall
W. C. Dugan	Martin Light	Dorsey Ratliff
J. W. Edwards	H. R. Marquette	Denny P. Smith
William A. Eimer	B. K. Marshall, Jr.	H. L. Taylor
Virgil Eversole	Joseph Martin	Elmer J. Terry
John B. Furlong	James A. May	E. J. Thomas
F. A. Gnau	Harry J. Meyers	J. A. Thompson
L. B. Hamilton	Clarence Miller	Thomas H. Troxel
H. G. Handmaker	Russell O. Miller	H. Speed Tye
C. E. Houk	M. F. Moore	J. E. Walters
R. L. Jackson	B. T. Morris	Robert Williams
Grover C. Johnson	H. L. Nickell	
J. Roy Johnson	Curtis F. Park	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 581. An Act to amend Chapter 248 of the Acts of 1926, relating to roads and highways, establishing as a part of the Primary System of state highways of the Commonwealth of Kentucky a road leading from the mill of Coy Phillips on the Dixie Highway from Stanford to Somerset in Lincoln County, thence to the Double Springs Graveyard; thence the most feasible route to or near the farm of T. J. Ellis; thence following the Adley Glass road to the Waynesburg and Crab Orchard County Road; thence with said road the most feasible route to the Soapus School House; thence

with said road to Broughtontown; thence with said road to Chapel's Gap; thence with said road to Crab Orchard, Lincoln County, Kentucky, a point on Highway 168.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at the mill of Coy Phillips, a point on the Dixie Highway between Stanford and Somerset in Lincoln County; thence to the Double Springs Graveyard; thence the most feasible route to or near the farm of T. J. Ellis; thence following the Adley Glass Road to the Waynesburg and Crab Orchard County Road; thence with said road the most feasible route to the Soapus School House; thence with said road to Broughtontown; thence with said road to Chappel's Gap; thence with said road to Crab Orchard, Lincoln County, a point on State Highway No. 168, and all of said road being in Lincoln County, Kentucky. And said road shall be known and designated as the Monroe Thompson Highway.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 585. An Act establishing as part of the primary system of State highways a road beginning at a point in State highway No. 90, between Zula and Alpha, and running by way of Philip Dalton's, O. E. Rector's, Windy, Powersburg, Sunnybrook and thence to the Forbes-Tennessee Road on The Kentucky-Tennessee State line.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following road, to-wit: Beginning at a point on State Highway No. 90 between Zula and Alpha, and running by way of Phillip Dalton's, O. E. Rector's, Windy, Powersburg, Sunnybrook and thence to the Forbes-Tennessee road on the Kentucky-Tennessee state line. The road thus established shall be known as project No. — and the construction, maintenance, supervision and control of same shall be subject to all the terms and provisions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Bradley Combs	C. B. Dowling
U. G. Anderson	Elmer Cook	W. C. Dugan
W. O. Baxter	Leonard Cook	J. W. Edwards
S. A. Blackburn	W. W. Cooper	William A. Eimer
D. C. Bradley	Ben L. Cox	Virgil Eversole
T. L. Britton	H. G. Crabtree	John B. Furlong
John Young Brown	William J. Curtis	F. A. Gnau
John R. Buckman	Winn Davis	L. B. Hamilton
James A. Campbell	James R. Dorman	H. G. Handmaker

C. E. Houk	James A. May	Dorsey Ratliff
R. L. Jackson	Harry J. Meyers	Denny P. Smith
Grover C. Johnson	Clarence Miller	H. L. Taylor
J. Roy Johnson	Russell O. Miller	Elmer J. Terry
Theron M. Johnson	M. F. Moore	E. J. Thomas
M. F. Jordan	B. T. Morris	J. A. Thompson
John B. Klefot	H. L. Nickell	Thomas H. Troxel
Frank LeBus	Curtis F. Park	H. Speed Tye
Martin Light	James I. Peters	J. E. Walters
H. R. Marquette	John H. Pickett	Robert Williams
B. K. Marshall, Jr.	John W. Preston	
Joseph Martin	W. E. Randall	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 590. An Act establishing as a part of the primary system of State highways a road leaving the Mayo Trail at or near the mouth of Georges Creek and intersecting with the Garrett Highway at or near Stidham, which road shall be known as the Hinkle Trail.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road leaving the Mayo Trail at or near the mouth of Georges Creek and running up the west side of Levisa Fork

of Big Sandy River to a point that may, in the judgment of the State Highway Commission, be best adapted for the location of a bridge across the Levisa Fork of Big Sandy River, which point, however, shall in no case be farther south (up the river) than the Burgess farm, formerly the Borders farm, thence up the east side of said river via the village of Richardson and the farm owned by R. D. Hinkle (deceased) at or near the mouth of Nats Creek, thence up said Nats Creek via the best and most practical route (to be chosen by the State Highway Commission) to the Martin County line, thence from said Martin County line to the Rock House Fork of Rockcastle creek, thence up said Rock House Fork of Rockcastle Creek to the Garrett Highway, intersecting with said Garrett Highway at or near Stidham.

§ 2. Said project shall be designated and known as the Hinkle Trail.

§ 3. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	S. A. Blackburn	John Young Brown
U. G. Anderson	D. C. Bradley	John R. Buckman
W. O. Baxter	T. L. Britton	James A. Campbell

Bradley Combs	C. E. Houk	H. L. Nickell
Elmer Cook	R. L. Jackson	Curtis F. Park
Leonard Cook	Grover C. Johnson	James I. Peters
W. W. Cooper	J. Roy Johnson	John H. Pickett
Ben L. Cox	Theron M. Johnson	John W. Preston
H. G. Crabtree	M. F. Jordan	W. E. Randall
William J. Curtis	John B. Klefot	Dorsey Ratliff
Winn Davis	Frank LeBus	Denny P. Smith
James R. Dorman	Martin Light	H. L. Taylor
C. B. Dowling	H. R. Marquette	Elmer J. Terry
W. C. Dugan	B. K. Marshall, Jr.	E. J. Thomas
J. W. Edwards	Joseph Martin	J. A. Thompson
William A. Eimer	James A. May	Thomas H. Troxel
Virgil Eversole	Harry J. Meyers	H. Speed Tye
John B. Furlong	Clarence Miller	J. E. Walters
F. A. Gnau	Russell O. Miller	Robert Williams
L. B. Hamilton	M. F. Moore	
H. G. Handmaker	B. T. Morris	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 592. An Act creating and establishing as a part of the primary road system of the Commonwealth of Kentucky, a road leading from Clarkson, via John Burris, H. E. Witten, Sam Hughes, Eugene Embry, to Holly, thence to Eveleigh.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of this Commonwealth the following route, to-wit:

Beginning at Clarkson, thence via John Burris, H. E. Witten, Sam Hughes, Eugene Embry to Holly, thence to Eveleigh, the said route so established to be known and designated as State project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of roads of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Elmer Cook	J. W. Edwards
U. G. Anderson	Leonard Cook	William A. Eimer
W. O. Baxter	W. W. Cooper	Virgil Eversole
S. A. Blackburn	Ben L. Cox	John B. Furlong
D. C. Bradley	H. G. Crabtree	F. A. Gnau
T. L. Britton	William J. Curtis	L. B. Hamilton
John Young Brown	Winn Davis	H. G. Handmaker
John R. Buckman	James R. Dorman	C. E. Houk
James A. Campbell	C. B. Dowling	R. L. Jackson
Bradley Combs	W. C. Dugan	Grover C. Johnson

J. Roy Johnson	Clarence Miller	Denny P. Smith
Theron M. Johnson	Russell O. Miller	H. L. Taylor
M. F. Jordan	M. F. Moore	Elmer J. Terry
John B. Klefot	B. T. Morris	E. J. Thomas
Frank LeBus	H. L. Nickell	J. A. Thompson
Martin Light	Curtis F. Park	Thomas H. Troxel
H. R. Marquette	James I. Peters	H. Speed Tye
B. K. Marshall, Jr.	John H. Pickett	J. E. Walters
Joseph Martin	John W. Preston	Robert Williams
James A. May	W. E. Randall	
Harry J. Meyers	Dorsey Ratliff	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 598. An Act repealing Chapter 181 of the Acts of the General Assembly of 1928, and enacting in lieu thereof an act establishing as a part of the primary system of state highways a road from a point on the Bosworth Trail at or near Big Hill Post Office, in Madison County, thence via Berea and within one mile of Wallacetown to a point on the state highway at or near Paint Lick, in Garrard County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road from a point on the Bosworth Trail at or

near Big Hill Post Office, in Madison County, thence via Berea and within one mile of Walliston to a point on the state highway at or near Paint Lick, in Garrard County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly as amended, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

§ 3. Chapter 181 of the Acts of the General Assembly of 1928 is hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	H. G. Crabtree	R. L. Jackson
U. G. Anderson	William J. Curtis	Grover C. Johnson
W. O. Baxter	Winn Davis	J. Roy Johnson
S. A. Blackburn	James R. Dorman	Theron M. Johnson
D. C. Bradley	C. B. Dowling	M. F. Jordan
T. L. Britton	W. C. Dugan	John B. Klefot
John Young Brown	J. W. Edwards	Frank LeBus
John R. Buckman	William A. Eimer	Martin Light
James A. Campbell	Virgil Eversole	H. R. Marquette
Bradley Combs	John B. Furlong	B. K. Marshall, Jr.
Elmer Cook	F. A. Gnau	Joseph Martin
Leonard Cook	L. B. Hamilton	James A. May
W. W. Cooper	H. G. Handmaker	Harry J. Meyers
Ben L. Cox	C. E. Houk	Clarence Miller

Russell O. Miller	John W. Preston	J. A. Thompson
M. F. Moore	W. E. Randall	Thomas H. Troxel
B. T. Morris	Dorsey Ratliff	Speed H. Tye
H. L. Nickell	Denny P. Smith	J. E. Walters
Curtis F. Park	H. L. Taylor	Robert Williams
James I. Peters	Elmer J. Terry	
John H. Pickett	E. J. Thomas	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 600. An Act establishing as a part of primary system of state highways, a road from Somerset, Pulaski County, to Mt. Vernon, Rockcastle County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of the state highways of the Commonwealth of Kentucky, a road beginning at the most practical point on what is known as the Swiss Colony route of Somerset and London road as located and approved by the State Highway Commission on December 11th, 1928, and running to Mt. Vernon, Rockcastle County, over the most practical route. Said point of beginning and route to be determined by the Highway Commission. The purpose of this act is to enable the Highway Commission to use a portion of said Swiss Colony Route of Somerset and London road as a double interseat route,

from Somerset, Pulaski County to London, Laurel County and from Somerset, Pulaski County to Mt. Vernon, Rockcastle County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James R. Dorman	Frank LeBus
U. G. Anderson	C. B. Dowling	Martin Light
W. O. Baxter	W. C. Dugan	H. R. Marquette
S. A. Blackburn	J. W. Edwards	B. K. Marshall, Jr.
D. C. Bradley	William A. Eimer	Joseph Martin
T. L. Britton	Virgil Eversole	James A. May
John Young Brown	John B. Furlong	Harry J. Meyers
John R. Buckman	F. A. Gnau	Clarence Miller
James A. Campbell	L. B. Hamilton	Russell O. Miller
Bradley Combs	H. G. Handmaker	M. F. Moore
Elmer Cook	C. E. Houk	B. T. Morris
Leonard Cook	R. L. Jackson	H. L. Nickell
W. W. Cooper	Grover C. Johnson	Curtis F. Park
Ben L. Cox	J. Roy Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
William J. Curtis	M. F. Jordan	John W. Preston
Winn Davis	John B. Klefot	W. E. Randall

Dorsey Ratliff	E. J. Thomas	J. E. Walters
Denny P. Smith	J. A. Thompson	Robert Williams
H. L. Taylor	Thomas H. Troxel	
Elmer J. Terry	Speed H. Tye	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 606. An Act to amend Section 4356t-5, Carroll's Kentucky Statutes, 1922 Edition, by adding thereto a primary road from Jonesville, Ky., by way of Downingsville and Delia, to Dry Ridge.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road beginning at Jonesville, Ky., at the line between Owen and Grant Counties, and thence to Downingsville, thence to Delia, thence to Dry Ridge, so as to intersect or join the concreate highway No. 25 at the First National Bank in Dry Ridge, be and the same is hereby added to the primary system of roads of the Commonwealth.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 607. An Act to amend Section 4356t-5, Carroll's Kentucky Statutes, 1922 Edition, by adding thereto a primary road from Beaver in Boone County, by way of Big Bone, Landing, Rabbit Hash, McVille, Bellview, Petersburg, Taylors Sport and to Constance.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at Beaver in Boone County, by the way of Big Bone, Landing, Rabbit Hash, McVille, Bellview, Petersburg and Taylors Sport to Constance, be and the same is hereby added to the primary system of roads of the Commonwealth.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John Young Brown	W. W. Cooper
U. G. Anderson	John R. Buckman	Ben L. Cox
W. O. Baxter	James A. Campbell	H. G. Crabtree
S. A. Blackburn	Bradley Combs	William J. Curtis
D. C. Bradley	Elmer Cook	Winn Davis
T. L. Britton	Leonard Cook	James R. Dorman

C. B. Dowling	John B. Klefot	John H. Pickett
W. C. Dugan	Frank LeBus	John W. Preston
J. W. Edwards	Martin Light	W. E. Randall
William A. Eimer	H. R. Marquette	Dorsey Ratliff
Virgil Eversole	B. K. Marshall, Jr.	Denny P. Smith
John B. Furlong	Joseph Martin	H. L. Taylor
F. A. Gnau	James A. May	Elmer J. Terry
L. B. Hamilton	Harry J. Meyers	E. J. Thomas
H. G. Handmaker	Clarence Miller	J. A. Thompson
C. E. Houk	Russell O. Miller	Thomas H. Troxel
R. L. Jackson	M. F. Moore	Speed H. Tye
Grover C. Johnson	B. T. Morris	J. E. Walters
J. Roy Johnson	H. L. Nickell	Robert Williams
Theron M. Johnson	Curtis F. Park	
M. F. Jordan	James I. Peters	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 608. An Act to amend Section 4356t-5, Carroll's Kentucky Statutes 1922 Edition, by adding thereto a primary road from about one mile west of Holbrook, by way of Lawrenceville, intersecting the U. S. No. 25 near the Mason School House.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning about one mile west of Holbrook, between Owen and Grant county, thus by the way of Lawrenceville, so as to intersect the U. S. 25 near the Mason

School House, be and the same is hereby added to the primary system of roads of the Commonwealth.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordince with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 609. An Act to amend Section 4356t-5, Carroll's Kentucky Statutes 1922 Edition, by adding thereto a primary road from Mud Lick Creek in Boone county by way of Verona and Lebanon Church, intersecting the U. S. 25 at Crittenden, Grant county, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at Mud Lick Creek in Boone county, on the Louisville and Covington highway, thence by way of Verona and Lebanon Church, intersecting the U. S. No. 25 at Crittenden, Grant county, Kentucky, be and the same is hereby added to the primary system of roads of the Commonwealth.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 610. An Act to amend Section 4356t-5, Carroll's Kentucky Statutes, 1922 Edition, by adding thereto a pri-

mary road from Hughes Chapel in Boone County, on the Louisville and Covington Highway, by the way of Richwood Church, intersecting the U. S. No. 25 near Robert Chambers.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at Hughes Chapel in Boone County, on the Louisville and Covington Highway, by the way of Richwood Church, intersecting the U. S. 25 near Robert Chambers, be and the same is hereby added to the primary system of roads of the Commonwealth.

All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows:

Those who voted in the affirmative were—

E. S. Allison	Elmer Cook	J. W. Edwards
U. G. Anderson	Leonard Cook	William A. Eimer
W. O. Baxter	W. W. Cooper	Virgil Eversole
S. A. Blackburn	Ben L. Cox	John B. Furlong
D. C. Bradley	H. G. Crabtree	F. A. Gnau
T. L. Britton	William J. Curtis	L. B. Hamilton
John Young Brown	Winn Davis	H. G. Handmaker
John R. Buckman	James R. Dorman	C. E. Houk
James A. Campbell	C. B. Dowling	R. L. Jackson
Bradley Combs	W. C. Dugan	Grover C. Johnson

J. Roy Johnson	Clarence Miller	Denny P. Smith
Theron M. Johnson	Russell O. Miller	H. L. Taylor
M. F. Jordan	M. F. Moore	Elmer J. Terry
John B. Klefot	B. T. Morris	E. J. Thomas
Frank LeBus	H. L. Nickell	J. A. Thompson
Martin Light	Curtis F. Park	Thomas H. Troxel
H. R. Marquette	James I. Peters	Speed H. Tye
B. K. Marshall, Jr.	John H. Pickett	J. E. Walters
Joseph Martin	John W. Preston	Robert Williams
James A. May	W. E. Randall	
Harry J. Meyers	Dorsey Ratliff	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 613. An Act establishing as a part of the primary system of state highways a road beginning at Morgantown, in Butler county, and running thence via Aberdeen, Huldyville, Fleners Bridge, and Albert Phelps' Store, to Vineyard, in Butler county.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky a road beginning at Morgantown, in Butler county, and running thence via Aberdeen, Huldyville, Fleners Ridge, and Albert Phelps' Store, to Vineyard, in Butler county.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to and controlled by the provisions of chapter 17 of the Acts of the General Assembly of 1920, as amended, to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 615. An Act to amend section five of chapter 17 of the Acts of the General Assembly of nineteen hundred and twenty, which is now section 4356-5 of 1922 edition of Kentucky Statutes, relating to establishment of roads and bridges.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That section five of chapter 17 of the Acts of the General Assembly of 1920, which is now section 4356-5 of Kentucky Statutes by Hon. John D. Carroll, 1922 edition, be amended by adding thereto the following project: A project beginning at a point in the Midland Trail in Pleasant Valley, at or near Stampers filling station, in Carter county, and extending to a point in the Carter Caves road near the residence of Aaron Horton, to be known as project No. 47x of the primary road system of the State of Kentucky.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions of the primary road system of State highways as set out in chapter seventeen of the Acts of the General Assembly of nineteen hundred and twenty.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 617. An Act establishing as a part of the primary system of State highways a road leaving Catlettsburg, Boyd county, Kentucky, up the Big Sandy river to Kavanaugh, to extend on up said river to Buchanan, Lawrence county, Kentucky, thence from that point on up Big Bear creek to connect with the Mayo Trail at Alley, Boyd county, Ky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commowealth of Kentucky a road leaving Catlettsburg, Boyd county, Kentucky, up the Big Sandy river to Kavanaugh, to extend on up said river to Buchanan, Lawrence county, Ky., thence from that point on up Big Bear creek to connect with the Mayo Trail at Alley, Boyd county, Ky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 625. An Act relating to the system of primary state roads and establishing as a part of the system of primary state roads the road from Mouth of Long Fork in Pike County, to the Mouth of Potter's Fork in Letcher County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the system of primary state roads the road beginning at the mouth of Long Fork, in Pike County, on the Mayo Trail, Project No. 6, and thence up Long Fork and the left hand fork thereof to the mouth of Potter's Fork in Letcher County via Flemming, Kentucky, by the most practical route, said road to be known as Project No. —.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	H. G. Crabtree	R. L. Jackson
U. G. Anderson	William J. Curtis	Grover C. Johnson
W. O. Baxter	Winn Davis	Roy J. Johnson
S. A. Blackburn	James R. Dorman	Theron M. Johnson
D. C. Bradley	C. B. Dowling	M. F. Jordan
T. L. Britton	W. C. Dugan	John B. Klefot
John Young Brown	J. W. Edwards	Frank LeBus
John R. Buckman	William A. Eimer	Martin Light
James A. Campbell	Virgil Eversole	H. R. Marquette
Bradley Combs	John B. Furlong	B. K. Marshall, Jr.
Elmer Cook	F. A. Gnau	Joseph Martin
Leonard Cook	L. B. Hamilton	James A. May
W. W. Cooper	H. G. Handmaker	Harry J. Meyers
Ben L. Cox	C. E. Houk	Clarence Miller

Russell O. Miller	John W. Preston	J. A. Thompson
M. F. Moore	W. E. Randall	Thomas H. Troxel
B. T. Morris	Dorsey Ratliff	Speed H. Tye
H. L. Nickell	Denny P. Smith	J. E. Walters
Curtis F. Park	H. L. Taylor	Robert Williams
James I. Peters	Elmer J. Terry	
John H. Pickett	E. J. Thomas	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 626. An Act relating to the system of primary state roads.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Common wealth of Kentucky:

§ 1. That there be established as a part of the system of primary state roads in Pike County, Kentucky, the road beginning at a point on Project No. 6C at Elkhorn City, Pike County, Kentucky, and thence running up Elkhorn Creek to a point where said road intersects with Project No. 212, and thence with said Project 212 to the intersection of said Project with Project No. 6 known as the Mayo Trail near Shelby Gap, thereby connecting Elkhorn City on Project No. 6C with the Mayo Trail at Shelby Gap, Pike County, Kentucky, to be known as Project No. —.

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Denny P. Smith
Elmer Cook	Theron M. Johnson	Dorsey Ratliff
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 629. An Act to add additional road project to the Primary System of State Highways as adopted in 1920, Chapter 17, page 76, and as amended by the Acts of 1922, 1924 and 1926.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be added to the State Primary Road System of Roads and established as a part of said Primary System, a road from a certain point on State Highway No. 31, located about one mile Southwest of Scottsville, Kentucky, and known as White Plains, over the route known as the Lower Franklin Road, by way of Mount Aerial to the Simpson County line. Same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, page 76, Acts 1920, establishing and creating a primary system of highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	Roy J. Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 630. An Act to add additional road project to the Primary System of State Highways as adopted in 1920, Chapter 17, page 76, and as amended by the Acts of 1922, 1924 and 2926.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be added to the State Primary Road System of Roads, and established as a part of said Primary System, a road beginning at a certain point about one-half mile east of the old Burris Water Mill and known as Gaines' Store, and running by said water mill, Chapel Hill, Alonzo and Stoney Point Church to the Simpson county line. Said route known as the Upper Franklin Road. Same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and conditions as set out and provided for in Chapter 17, page 76, Acts 1920, establishing and creating a primary system of highways in the State of Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James A. Campbell	H. G. Crabtree
U. G. Anderson	John R. Buckman	William J. Curtis
W. O. Baxter	Bradley Combs	Winn Davis
S. A. Blackburn	Elmer Cook	James R. Dorman
D. C. Bradley	Leonard Cook	C. B. Dowling
T. L. Britton	W. W. Cooper	W. C. Dugan
John Young Brown	Ben L. Cox	J. W. Edwards

William A. Eimer	Martin Light	John W. Preston
Virgil Eversole	H. R. Marquette	W. E. Randall
John B. Furlong	B. K. Marshall, Jr.	Dorsey Ratliff
F. A. Gnau	Joseph Martin	Denny P. Smith
L. B. Hamilton	James A. May	H. L. Taylor
H. G. Handmaker	Harry J. Meyers	Elmer J. Terry
C. E. Houk	Clarence Miller	E. J. Thomas
R. L. Jackson	Russell O. Miller	J. A. Thompson
Grover C. Johnson	M. F. Moore	Thomas H. Troxel
J. Roy Johnson	B. T. Morris	Speed H. Tye
Theron M. Johnson	H. L. Nickell	J. E. Walters
M. F. Jordan	Curtis F. Park	Robert Williams
John B. Klefot	James I. Peters	
Frank LeBus	John H. Pickett	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 631. An Act to add to the primary system a road from Princeton, Kentucky, to Kuttawa, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the following road be added to the primary system of the Commonwealth of Kentucky; beginning at a point about one mile west of Princeton, Kentucky, where the Marion highway turns at the Anna Barber Hospital, thence west out the old Princeton and Fredonia road about one

mile, thence west connecting with the Varment-Trace road near Jordan's school house, thence by Fairview church, thence to Kuttawa, Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 633. An Act establishing a road as a part of the primary road system of the Commonwealth of Kentucky and being a primary road project beginning at a point at Riceville in Fulton County, Kentucky, on what is known as U. S. Highway No. 51 and extending west along what is known as the Middle Road to Hickman, Fulton County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby created and made a part of the primary road system of the Commonwealth of Kentucky a project known as project No. —, beginning at a point at Riceville, in Fulton County, Kentucky, on what is known as highway No. 51, and extending west along what is known as the Middle Road to Hickman, Fulton County, Kentucky.

§ 2. Said road to be constructed and maintained and subject to all of the conditions set out and provided for in Chapter 17 of the Acts of 1920, as establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 639. An Act to add to the Primary System of Public Highways, a road leading from Warfield, Martin County, Kentucky to opposite Wharncliff, in Pike County, Kentucky, to be known as the Tug River Trail.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, The Tug River Trail, a road leading from Warfield, Martin County, Kentucky, via Mouth Big Creek, via South Williamson, via Leckieville, via McCarr, via Freeburn, via Majestic, via Mouth Knox Creek, all in Pike County, Kentucky, to a point opposite Wharncliff, West Virginia, so as to connect with the Garrett Highway on the Northern end at Warfield, Martin County, Kentucky, and to connect on the Southern end with the Virginia and West Virginia state highway at their junction points near Wharncliff, W. Va. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for by the acts of the General Assembly of 1920, establishing and creating a Primary System of State Highways. Said road project shall be known as State Primary Project No. —.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 640. An Act relating to the system of primary

state roads, and establishing a road to be known as the Gannon Trail.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

§ 1. That there is hereby established as a part of the system of primary state roads in Pike County, Kentucky, the road beginning at a point on Project No. SP39½ at or near the mouth of Gannon's Branch, Pike County, Kentucky, and thence running up Gannon's Branch, crossing on to Dicks Fork of Big Creek, thence with Dicks Fork of Big Creek via Criggar Post Office to the mouth of said creek to a point where said road will intersect with Project No. SP36, thereby connecting Project No. SP39½ with Project No. SP36 (Pikeville-Williamson Highway). Said road project shall be known as State Primary Project No. —.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	D. C. Bradley	James A. Campbell
U. G. Anderson	T. L. Britton	Bradley Combs
W. O. Baxter	John Young Brown	Elmer Cook
S. A. Blackburn	John R. Buckman	Leonard Cook

W. W. Cooper	Grover C. Johnson	Curtis F. Park
Ben L. Cox	J. Roy Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
William J. Curtis	M. F. Jordan	John W. Preston
Winn Davis	John B. Klefot	W. E. Randall
James R. Dorman	Frank LeBus	Dorsey Ratliff
C. B. Dowling	Martin Light,	Denny P. Smith
W. C. Dugan	H. R. Marquette	H. L. Taylor
J. W. Edwards	B. K. Marshall, Jr.	Elmer J. Terry
William A. Eimer	Joseph Martin	E. J. Thomas
Virgil Eversole	James A. May	J. A. Thompson
John B. Furlong	Harry J. Meyers	Thomas H. Troxel
F. A. Gnau	Clarence Miller	H. Speed Tye
L. B. Hamilton	Russell O. Miller	J. E. Walters
H. G. Handmaker	M. F. Moore	Robert Williams
C. E. Houk	B. T. Morris	
R. L. Jackson	H. L. Nickell	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 648. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at the intersection of Ingram's Creek with Line Fork Creek, in Letcher County, Kentucky, and at a point on road Project No. —, thence down line Fork Creek to its intersection with the North Fork of the Kentucky River and road Project No. 197, in Letcher County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at the intersection of Ingram's Creek with Line Fork Creek, in Letcher County, Kentucky, and at a point on road Project No. —, thence down Line Fork Creek to its intersection with the North Fork of the Kentucky River and road Project No. 197 in Letcher County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to, and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James A. Campbell	Winn Davis
U. G. Anderson	Bradley Combs	James R. Dorman
W. O. Baxter	Elmer Cook	C. B. Dowling
S. A. Blackburn	Leonard Cook	W. C. Dugan
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree	Virgil Eversole
John R. Buckman	William J. Curtis	John B. Furlong

F. A. Gnau	B. K. Marshall, Jr.	W. E. Randall
L. B. Hamilton	Joseph Martin	Dorsey Ratliff
H. G. Handmaker	James A. May	Denny P. Smith
C. E. Houk	Harry J. Meyers	H. L. Taylor
R. L. Jackson	Clarence Miller	Elmer J. Terry
Grover C. Johnson	Russell O. Miller	E. J. Thomas
J. Roy Johnson	M. F. Moore	J. A. Thompson
Theron M. Johnson	B. T. Morris	Thomas H. Troxel
M. F. Jordan	H. L. Nickell	Speed H. Tye
John B. Klefot	Curtis F. Park	J. E. Walters
Frank LeBus	James I. Peters	Robert Williams
Martin Light	John H. Pickett	
H. R. Marquette	John W. Preston	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 649. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at Blackey, Letcher County, Kentucky, at a point on road Project No. 197, thence up the North Fork of the Kentucky River, via Roxana, Elsiecoal, Uz, and Ice, intersecting the Ky. Va. (Appalachian) Highway Project No. 4 at Whitesburg, Letcher County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at Blackey, Letcher County, Kentucky, at

a point on road Project No. 197, thence up the North Fork of the Kentucky River, via Roxana, Elsiecoal, Uz, and Ice, intersecting the Ky.-Va. (Appalachian) Highway Project No. 4 at Whitesburg, Letcher County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to, and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William J. Curtis	J. Roy Johnson
U. G. Anderson	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	M. F. Jordan
S. A. Blackburn	C. B. Dowling	John B. Klefot
D. C. Bradley	W. C. Dugan	Frank LeBus
T. L. Britton	J. W. Edwards	Martin Light
John Young Brown	William A. Eimer	H. R. Marquette
John R. Buckman	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	John B. Furlong	Joseph Martin
Bradley Combs	F. A. Gnau	James A. May
Elmer Cook	L. B. Hamilton	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Russell O. Miller
W. W. Cooper	C. E. Houk	Russell O. Miller
Ben L. Cox	R. L. Jackson	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris

H. L. Nickell	Dorsey Ratliff	Thomas H. Troxel
Curtis F. Park	Denny P. Smith	H. Speed Tye
James I. Peters	H. L. Taylor	J. E. Walters
John H. Pickett	Elmer J. Terry	Robert Williams
John W. Preston	E. J. Thomas	
W. E. Randall	J. A. Thompson	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 650. An Act establishing as a part of the primary system of state Highways of the Commonwealth of Kentucky, a road beginning at Pine Mountain Settlement School, a point on Project No. 56, Harlan County, Kentucky, thence in an easterly direction to Line Fork Creek, thence down Line Fork Creek to Gordon, Letcher County, Kentucky, and there intersecting with road project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at Pine Mountain Settlement School, a point on Project No. 56, Harlan County, Kentucky, thence in an easterly direction to Line Fork Creek to Gordon, Letcher County, Kentucky, and there intersecting with road project No. —.

The construction, maintenance, supervision and control of said road shall be subject to, and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	C. B. Dowling	H. R. Marquette
U. G. Anderson	W. C. Dugan	B. K. Marshall, Jr.
W. O. Baxter	J. W. Edwards	Joseph Martin
S. A. Blackburn	William A. Eimer	James A. May
D. C. Bradley	Virgil Eversole	Harry J. Meyers
T. L. Britton	John B. Furlong	Clarence Miller
John Young Brown	F. A. Gnau	Russell O. Miller
John R. Buckman	L. B. Hamilton	M. F. Moore
James A. Campbell	H. G. Handmaker	B. T. Morris
Bradley Combs	C. E. Houk	H. L. Nickell
Elmer Cook	R. L. Jackson	Curtis F. Park
Leonard Cook	Grover C. Johnson	James I. Peters
W. W. Cooper	J. Roy Johnson	John H. Pickett
Ben L. Cox	Theron M. Johnson	John W. Preston
H. G. Crabtree	M. F. Jordan	W. E. Randall
William J. Curtis	John B. Klefot	Dorsey Ratliff
Winn Davis	Frank LeBus	Denny P. Smith
James R. Dorman	Martin Light	H. L. Taylor

Elmer J. Terry	Thomas H. Troxel	Robert Williams
E. J. Thomas	H. Speed Tye	
J. A. Thompson	J. E. Walters	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agered to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 653. An Act to add to the primary system of State Highways a road in Warren County leading from the Dixie Highway near the Grider Schoolhouse by the way of Mount Olivet Church and the Gott neighorhood to the Richardsville and Bowling Green road.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

That the road in Warren County leaving the Dixie Highway near the Grider Schoolhouse and leading by the way of Mount Olivet Church and the Gott neighborhood until it intersects the Richardsville and Bowling Green Highway is hereby designated as a part of the primary system of roads and it may be taken over, constructed and maintained by the State Highway Commission.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 661. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky a road intersecting with the Dixie Highway, Route No. 25, at Yager School House, Knox County, Kentucky; thence by way of the residence of V. A. Jordon, by mouth of Payne's Creek, and intersecting with Route No. 97, which leads from Barbourville, Kentucky, to Manchester, Kentucky, at Girdler, Kentucky, near G. W. Hammon's store.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Roads and Highways, a road intersecting with the Dixie Highway, Route No. 25, at Yager School House, Knox County, Kentucky; thence by way of the residence of V. A. Jordon, by the mouth of Payne's Creek, and intersecting with Route No. 97, which leads from Barbourville, Kentucky, to Manchester, Kentucky, at Girdler, Kentucky, near G. W. Hammon's store.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to all terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a Primary System of State Highways, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the Primary System of State Highwys.

§ 3. All projects in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Construction were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 663. An Act establishing and making the road from and beginning at Carlisle, Nicholas County, Kentucky, at the end of the Street leading from Project No. 32, and running by way of the Carlisle and Plum Lick Turnpike to the intersection of the Paris and Plum Lick Turnpike, thence over the Paris and Plum Lick Turnpike to Plum Lick, thence over the Flat Rock and Judy Turnpike to the itnersection of Fields Highway at Judy, Montgomery County, Kentucky, a part of the Primary System of the State Highways of the Commonwealth of Kentucky.

This project shall be known as Project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

§ 1. That the road beginning at the city limits of Carlisle, Nicholas County, Kentucky, at the end of the street leading from Project No. 32, and running by way of the Carlisle and Plum Lick Turnpike intersecting the Paris and Plum Lick Turnpike, thence over the Paris and Plum Lick Turnpike to Plum Lick, and thence over the Flat Rock and Judy Turnpike to the intersection of Fields Highway at Judy, Montgomery County, Ky., Project No. —, and approximately a distance of fifteen (15) miles, be and the same is hereby made a part of the Primary System of State Highways of the Commonwealth of Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a Primary System of State Highways.

§ 2. Said road shall be known as Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconisdered and that said motion lie on the table.

Said motion was agred to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 664. An Act establishing and making the road from and beginning at the intersection of the Carlisle and Jackstown Turnpike with State Project No. 32, near the city limits of Carlisle, Nicholas county, Kentucky, and running by way of said turnpike to the Bourbon county line at Jackstown, thence by way of the Paris and Jackstown turnpike to the Maysville and Lexington turnpike, one mile north of Paris, Bourbon county, Kentucky, a idstance of approximately seventeen (17) miles, a part of the Primary System of the State Highways of the Commonwealth of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

§ 1. That the road beginning at the intersection of the Carlisle and Jackstown turnpike with State project No. 32, near the city limits of Carlisle, Nicholas county, Kentucky, and running by way of said turnpike to the Bourbon county line at Jackstown, thence by way of the Paris and Jackstown turnpike to the Maysville and Lexington turnpike, one mile north of Paris, Bourbon county, Kentucky, a distance of approximately seventeen (17) miles, be and the same is hereby made a part of the primary system of State highways of the Commonwealth of Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of State highways.

§ 2. Said road shall be known as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 665. An Act to amend Section 4356t-5 of Baldwin's Supplement to Carroll's Kentucky Statutes, 1928 Edition by adding threto Primary Road Project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmon of Kentucky:

That there be added to the Primary Road System a road beginning at the Town of Mt. Olivet in Robertson County, thence via of Central Ridge to the Harrison County line and intersecting State Highway No. 19 at or near the village of Claysville.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James A. Campbell	Winn Davis
U. G. Anderson	Bradley Combs	James R. Dorman
W. O. Baxter	Elmer Cook	C. B. Dowling
S. A. Blackburn	Leonard Cook	W. C. Dugan
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree	Virgil Eversole
John R. Buckman	William J. Curtis	John B. Furlong

F. A. Gnau	B. K. Marshall, Jr.	W. E. Randall
L. B. Hamilton	Joseph Martin	Dorsey Ratliff
H. G. Handmaker	James A. May	Denny P. Smith
C. E. Houk	Harry J. Meyers	H. L. Taylor
R. L. Jackson	Clarence Miller	Elmer J. Terry
Grover C. Johnson	Russell O. Miller	E. J. Thomas
J. Roy Johnson	M. F. Moore	J. A. Thompson
Theron M. Johnson	B. T. Morris	Thomas H. Troxel
M. F. Jordan	H. L. Nickell	H. Speed Tye
John B. Klefot	Curtis F. Park	J. E. Walters
Frank LeBus	James I. Peters	Robert Williams
Martin Light	John H. Pickett	
H. R. Marquette	John W. Preston	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 666. An Act to add to the primary system a road leading from Bowen, on the K. V. Highway, in Powell County, to the Garrett Highway east of Jeffersonville, in Montgomery County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the following road be added to the primary system begining on the K. V. Highway at Bowen, in Powell County, and running across to Cow Creek, thence up Cow Creek to Logan Fork, thence up Logan Fork and across the mountain

to Spencer and down Spencer to the Garrett Highway just east of Jeffersonville, in Montgomery County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	Roy J. Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 667. An Act to add to the primary system a road leading from Clay City, Powell County, on the K. V. Highway, to the highway at the head of Cow Creek, in Estill County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the following road be added to the primary system beginning at Clay City, Powell County, on the K. V. Highway, and running up main Big Hardix Creek to the top of the mountain in Estill County, thence down Tipton Ridge to the highway at the head of Cow Creek, in Estill County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	S. A. Blackburn	John Young Brown
U. G. Anderson	D. C. Bradley	John R. Buckman
W. O. Baxter	T. L. Britton	James A. Campbell

Bradley Combs	C. E. Houk	H. L. Nickell
Elmer Cook	R. L. Jackson	Curtis F. Park
Leonard Cook	Grover C. Johnson	James I. Peters
W. W. Cooper	J. Roy Johnson	John H. Pickett
Ben L. Cox	Theron M. Johnson	John W. Preston
H. G. Crabtree	M. F. Jordan	W. E. Randall
William J. Curtis	John B. Klefot	Dorsey Ratliff
Winn Davis	Frank LeBus	Denny P. Smith
James R. Dorman	Martin Light	H. L. Taylor
C. B. Dowling	H. R. Marquette	Elmer J. Terry
W. C. Dugan	B. K. Marshall, Jr.	E. J. Thomas
J. W. Edwards	Joseph Martin	J. A. Thompson
William A. Eimer	James A. May	Thomas H. Troxel
Virgil Eversole	Harry J. Meyers	H. Speed Tye
John B. Furlong	Clarence Miller	J. E. Walters
F. A. Gnau	Russell O. Miller	Robert Williams
L. B. Hamilton	M. F. Moore	
H. G. Handmaker	B. T. Morris	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 669. An Act establishing as a part of the primary system of State Highways a road leading from Cox's Creek in Nelson County to Samuels in Nelson County, and following as near as possible the present road, same to be known as project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from Cox's Creek in Nelson County to Samuels in Nelson County, and following as near as possible the present road, same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Elmer Cook	J. W. Edwards
U. G. Anderson	Leonard Cook	William A. Eimer
W. O. Baxter	W. W. Cooper	Virgil Eversole
S. A. Blackburn	Ben L. Cox	John B. Furlong
D. C. Bradley	H. G. Crabtree	F. A. Gnau
T. L. Britton	William J. Curtis	L. B. Hamilton
John Young Brown	Winn Davis	H. G. Handmaker
John R. Buckman	James R. Dorman	C. E. Houk
James A. Campbell	C. B. Dowling	R. L. Jackson
Bradley Combs	W. C. Dugan	Grover C. Johnson

J. Roy Johnson	Clarence Miller	Denny P. Smith
Theron M. Johnson	Russell O. Miller	H. L. Taylor
M. F. Jordan	M. F. Moore	Elmer J. Terry
John B. Klefot	B. T. Morris	E. J. Thomas
Frank LeBus	H. L. Nickell	J. A. Thompson
Martin Light	Curtis F. Park	Thomas H. Troxel
H. R. Marquette	James I. Peters	H. Speed Tye
B. K. Marshall, Jr.	John H. Pickett	J. E. Walters
Joseph Martin	John W. Preston	Robert Williams
James A. May	W. E. Randall	
Harry J. Meyers	Dorsey Ratliff	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 670. An Act establishing as a part of the primary system of state highways a road leading from Magnolia in Larue county to Hodgenville in Larue county, via the South Fork Baptist Church, and Lincoln Memorial farm, following as near as possible the present dirt road, same to be known as project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the commonwealth of Kentucky, a road leading from Magnolia in Larue county to Hodgenville in Larue County, via by the South Fork Baptist

Church and Lincoln Memorial Farm, following as near as possible the present dirt road, same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided herein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length beng dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William J. Curtis	J. Roy Johnson
U. G. Anderson	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	M. F. Jordan
S. A. Blackburn	C. B. Dowling	John B. Klefot
D. C. Bradley	W. C. Dugan	Frank LeBus
T. L. Britton	J. W. Edwards	Martin Light
John Young Brown	William A. Eimer	H. R. Marquette
John R. Buckman	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	John B. Furlong	Joseph Martin
Bradley Combs	F. A. Gnau	James A. May
Elmer Cook	L. B. Hamilton	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Clarence Miller
W. W. Cooper	C. E. Houk	Russell O. Miller
Ben L. Cox	R. L. Jackson	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris

H. L. Nickell	Dorsey Ratliff	Thomas H. Troxel
Curtis F. Park	Denny P. Smith	H. Speed Tye
James I. Peters	H. L. Taylor	J. E. Walters
John H. Pickett	Elmer J. Terry	Robert Williams
John W. Preston	E. J. Thomas	
W. E. Randall	J. A. Thompson	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 671. An Act establishing as a part of the primary system of State highways a road leading from about two miles north of Bardstown at the fair grounds on the Jackson Highway and extending in a northeasterly direction to a point on the Bloomfield and Fairfield road near Simpson's Bridge, following as closely as practicable the present road known as the Plum Run road, same to be known as project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from about two miles north of Bardstown at the fair grounds on the Jackson Highway and extending in a northeasterly direction to a point on the Bloomfield and Fairfield road near Simpson's bridge, following as closely as practicable the present road known as the Plum Run road, same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State highways to the same effect as of said road had been named in the original act as one of the projects of the primary system of state highways provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed, with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	C. B. Dowling	H. R. Marquette
U. G. Anderson	W. C. Dugan	B. K. Marshall, Jr.
W. O. Baxter	J. W. Edwards	Joseph Martin
S. A. Blackburn	William A. Eimer	James A. May
D. C. Bradley	Virgil Eversole	Harry J. Meyers
T. L. Britton	John B. Furlong	Clarence Miller
John Young Brown	F. A. Gnau	Russell O. Miller
John R. Buckman	L. B. Hamilton	M. F. Moore
James A. Campbell	H. G. Handmaker	B. T. Morris
Bradley Combs	C. E. Houk	H. L. Nickell
Elmer Cook	R. L. Jackson	Curtis F. Park
Leonard Cook	Grover C. Johnson	James I. Peters
W. W. Cooper	J. Roy Johnson	John H. Pickett
Ben L. Cox	Theron M. Johnson	John W. Preston
H. G. Crabtree	M. F. Jordan	W. E. Randall
William J. Curtis	John B. Klefot	Dorsey Ratliff
Winn Davis	Frank LeBus	Denny P. Smith
James R. Dorman	Martin Light	H. L. Taylor

Elmer J. Terry	Thomas H. Troxel	Robert Williams	
E. J. Thomas	H. Speed Tye		
J. A. Thompson	J. E. Walters		—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 672. An Act establishing as a part of the primary system of the State Highways a road starting at a point on the Bloomfield and Bardstown road near Bardstown Reservoir, and runnning in a north and westwardly direction to a point on the Jackson Highway at the City limits of Bardstown, following as closely as practicable the present road to said point on the Jackson Highway, now known as Duvall's Corner, and same being through what is now known as Henryville Addition, same to be known as project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road starting at a point on the Bloomfield and Bardstown road near Bardstown Reservoir, and running in a north and westwardly direction to a point on the Jackson Highway at the City Limits of Bardstown, following as closely as practicable the present road to said point on the Jackson Highway now known as Duvall's Corner, and the

same being through what is now known as Henryville Addition, same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided herein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Winn Davis	M. F. Jordan
U. G. Anderson	James R. Dorman	John B. Klefot
W. O. Baxter	C. B. Dowling	Frank LeBus
S. A. Blackburn	W. C. Dugan	Martin Light
D. C. Bradley	J. W. Edwards	H. R. Marquette
T. L. Britton	William A. Eimer	B. K. Marshall, Jr.
John Young Brown	Virgil Eversole	Joseph Martin
John R. Buckman	John B. Furlong	James A. May
James A. Campbell	F. A. Gnau	Harry J. Meyers
Bradley Combs	L. B. Hamilton	Clarence Miller
Elmer Cook	H. G. Handmaker	Russell O. Miller
Leonard Cook	C. E. Houk	M. F. Moore
W. W. Cooper	R. L. Jackson	B. T. Morris
Ben L. Cox	Grover C. Johnson	H. L. Nickell
H. G. Crabtree	J. Roy Johnson	Curtis F. Park
William J. Curtis	Theron M. Johnson	James I. Peters

John H. Pickett	H. L. Taylor	H. Speed Tye
John W. Preston	Elmer J. Terry	J. E. Walters
W. E. Randall	E. J. Thomas	Robert Williams
Dorsey Ratliff	J. A. Thompson	
Denny P. Smith	Thomas H. Troxel	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 673. An Act to establish as a part of the primary system of roads in this State, a road leading from Jenkinsville on Project No. 152 to the Mercer County line by the way of Bottom's Store.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. That there be established as a part of the primary system of roads in this State, a road leading from Jenkinsville on project No. 152 and running a distance of about three miles by way of Bottom's store to the Mercer county line, to be known as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 674: An Act to establish as a part of the primary

system of highways in this State a road leading from Mackville to Willisburg.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of roads in this State a road leading from Mackville to Willisburg, and that same when so established be known and designated as project No. —. Said road being approximately six and one-half miles in length.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Ben L. Cox	H. G. Handmaker
U. G. Anderson	H. G. Crabtree	C. E. Houk
W. O. Baxter	William J. Curtis	R. L. Jackson
S. A. Blackburn	Winn Davis	Grover C. Johnson
D. C. Bradley	James R. Dorman	Roy J. Johnson
T. L. Britton	C. B. Dowling	Theron M. Johnson
John Young Brown	W. C. Dugan	M. F. Jordan
John R. Buckman	J. W. Edwards	John B. Klefot
James A. Campbell	William A. Eimer	Frank LeBus
Bradley Combs	Virgil Eversole	Martin Light
Elmer Cook	John B. Furlong	H. R. Marquette
Leonard Cook	F. A. Gnau	B. K. Marshall, Jr.
W. W. Cooper	L. B. Hamilton	Joseph Martin

James A. May	James I. Peters	E. J. Thomas
Harry J. Meyers	John H. Pickett	J. A. Thompson
Clarence Miller	John W. Preston	Thomas H. Troxel
Russell O. Miller	W. E. Randall	Speed H. Tye
M. F. Moore	Dorsey Ratliff	J. E. Walters
B. T. Morris	Denny P. Smith	Robert Williams
H. L. Nickell	H. L. Taylor	
Curtis F. Park	Elmer J. Terry	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 680. An Act to add to the primary system of public highways a road leading from the Pineville-Harlan road, state road No. 6, to the Kentucky-Virginia state line and known as the Graham Trail.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonmonwealth of Kentucky:

§ 1. That there is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky, the Graham Trail, beginning at Calloway, on the Pineville-Harlan road, state road No. 6, thence with and across the Cumberland River to Tejay, Kentucky, thence up Toms Creek to Balkan, Kentucky, thence the most convenient route to the Kentucky-Virginia state line, to be and the same is hereby established and designated as a part of the primary system of state hghways of the Commonwealth of Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 685. An Act establishing as a part of the primary system of the State Highways a road leading from New Haven to Boston, in Nelson county, via Woods' Store and Vittatoe's Ford to Old Boston.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky, a road leading from New Haven to Boston, in Nelson county, via Woods' Store and Vittatoe's Ford to Old Boston.

§ 2. The construction maintenance, supervision and control of said road shall be subject to and controlled by a provision of chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 686. An Act establishing as a part of the primary

system of the State Highways a road leading from Deetsville to High Grove, both in Nelson county, via Lenore, following as near as practicable the present road.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary road system of State Highways of the Commonwealth of Kentucky, a road leading from Deetsville to High Grove, both in Nelson county, via Lenore, following as near as practicable the present road.

§ 2. The construction maintenance, supervision and control of said road shall be subject to and controlled by a provision of chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	D. C. Bradley	James A. Campbell
U. G. Anderson	T. L. Britton	Bradley Combs
W. O. Baxter	John Young Brown	Elmer Cook
S. A. Blackburn	John R. Buckman	Leonard Cook

W. W. Cooper	Grover C. Johnson	Curtis F. Park
Ben L. Cox	J. Roy Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
William J. Curtis	M. F. Jordan	John W. Preston
Winn Davis	John B. Klefot	W. E. Randall
James R. Dorman	Frank LeBus	Dorsey Ratliff
C. B. Dowling	Martin Light	Denny P. Smith
W. C. Dugan	H. R. Marquette	H. L. Taylor
J. W. Edwards	B. K. Marshall, Jr.	Elmer J. Terry
William A. Eimer	Joseph Martin	E. J. Thomas
Virgil Eversole	James A. May	J. A. Thompson
John B. Furlong	Harry J. Meyers	Thomas H. Troxel
F. A. Gnau	Clarence Miller	H. Speed Tye
L. B. Hamilton	Russell O. Miller	J. E. Walters
H. G. Handmaker	M. F. Moore	Robert Williams
C. E. Houk	B. T. Morris	
R. L. Jackson	H. L. Nickell	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 687. An Act establishing as a part of the primary system of the State Highways a road leading from Woodlawn in Nelson County to Bear Wallow in Washington County, via Botland and Borders' Ford on the Beech Fork River, and following as near as practicable the present route.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State Highways of the Commonwealth of

Kentucky, a road leading from Woodlawn in Nelson County to Bear Wallow in Washington County, via Botland and Borders' Ford on the Beech Fork River, and following as near as practicable the present route.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	H. G. Crabtree	R. L. Jackson
U. G. Anderson	William J. Curtis	Grover C. Johnson
W. O. Baxter	Winn Davis	J. Roy Johnson
S. A. Blackburn	James R. Dorman	Theron M. Johnson
D. C. Bradley	C. B. Dowling	M. F. Jordan
T. L. Britton	W. C. Dugan	John B. Klefot
John Young Brown	J. W. Edwards	Frank LeBus
John R. Buckman	William A. Eimer	Martin Light
James A. Campbell	Virgil Eversole	H. R. Marquette
Bradley Combs	John B. Furlong	B. K. Marshall, Jr.
Elmer Cook	F. A. Gnau	Joseph Martin
Leonard Cook	L. B. Hamilton	James A. May
W. W. Cooper	H. G. Handmaker	Harry J. Meyers
Ben L. Cox	C. E. Houk	Clarence Miller

Russell O. Miller	John W. Preston	J. A. Thompson
M. F. Moore	W. E. Randall	Thomas H. Troxel
B. T. Morris	Dorsey Ratliff	H. Speed Tye
H. L. Nickell	Denny P. Smith	J. E. Walters
Curtis F. Park	H. L. Taylor	Robert Williams.
James L. Peters	Elmer J. Terry	
John H. Pickett	E. J. Thomas	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 688. An Act establishing as a part of the primary system of the State Highways a road leading from a point on the Bardstown-Springfield road where what is known as the Potter Shop Hill Pike intersects said Bardstown-Springfield road, and running thence in a southerly direction along said Potter Shop road as near as practicable to Loretta in Marion County, via Matton in Washington County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from a point on the Bardstown-Springfield road where what is known as the Potter Shop Hill Pike intersects said Bardstown-Springfield road, and running thence in a southerly direction along said Potter

Shop road as near as practicable to Loretta in Marion County, via Matton in Washington County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Winn Davis	M. F. Jordan
U. G. Anderson	James R. Dorman	John B. Klefot
W. O. Baxter	C. B. Dowling	Frank LeBus
S. A. Blackburn	W. C. Dugan	Martin Light
D. C. Bradley	J. W. Edwards	H. R. Marquette
T. L. Britton	William A. Eimer	B. K. Marshall, Jr.
John Young Brown	Virgil Eversole	Joseph Martin
John R. Buckman	John B. Furlong	James A. May
James A. Campbell	F. A. Gnau	Harry J. Meyers
Bradley Combs	L. B. Hamilton	Clarence Miller
Elmer Cook	H. G. Handmaker	Russell O. Miller
Leonard Cook	C. E. Houk	M. F. Moore
W. W. Cooper	R. L. Jackson	B. T. Morris
Ben L. Cox	Grover C. Johnson	H. L. Nickell
H. G. Crabtree	J. Roy Johnson	Curtis F. Park
William J. Curtis	Theron M. Johnson	James I. Peters

John H. Pickett	H. L. Taylor	H. Speed Tye
John W. Preston	Elmer J. Terry	J. E. Walters
W. E. Randall	E. J. Thomas	Robert Williams
Dorsey Ratliff	J. A. Thompson	
Denny P. Smith	Thomas H. Troxel	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 691. An Act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from the city of Lexington, in the county of Fayette, and state of Kentucky, to the intersection with state road No. 19 at Broadwell, in Harrison County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from the city of Lexington, in the county of Fayette, and state of Kentucky, to the intersection with state road No. 19 at Broadwell, in Harrison County, Kentucky, the same being more particularly described as follows:

Beginning on the Russell Cave Road at the city limits of the city of Lexington, Fayette County, Kentucky, thence with said Russell Cave road in a northeasterly direction 11 1/10 miles to the Bourbon County line; thence in a northerly direction with the Russell Cave and Cynthiana road 6 6/10 miles

to the Harrison County line; thence with the Russell Cave and Cynthiana road a distance of 2 3/10 miles to the intersection of said Russell Cave and Cynthiana road with state road No. 19 at Broadwell, said road being a total of 20 miles, same to be designated project No. —, and to be entitled to receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James R. Dorman	Frank LeBus
U. G. Anderson	C. B. Dowling	Martin Light
W. O. Baxter	W. C. Dugan	H. R. Marquette
S. A. Blackburn	J. W. Edwards	B. K. Marshall, Jr.
D. C. Bradley	William A. Eimer	Joseph Martin
T. L. Britton	Virgil Eversole	James A. May
John Young Brown	John B. Furlong	Harry J. Meyers
John R. Buckman	F. A. Gnau	Clarence Miller
James A. Campbell	L. B. Hamilton	Russell O. Miller
Bradley Combs	H. G. Handmaker	M. F. Moore
Elmer Cook	C. E. Houk	B. T. Morris
Leonard Cook	R. L. Jackson	H. L. Nickell
W. W. Cooper	Grover C. Johnson	Curtis F. Park
Ben L. Cox	J. Roy Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
William J. Curtis	M. F. Jordan	John W. Preston
Winn Davis	John B. Klefot	W. E. Randall

Dorsey Ratliff	E. J. Thomas	J. E. Walters
Denny P. Smith	J. A. Thompson	Robert Williams
H. L. Taylor	Thomas H. Troxel	
Elmer J. Terry	H. Speed Tye	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 692. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Good Luck, Metcalfe County, Kentucky, to Cyclone, in Monroe County, Kentucky, intersecting state project No. 40, approximately one mile north of Beaumont, Metcalfe County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Good Luck, Metcalfe County, Kentucky, to Cyclone, in Monroe County, Kentucky, intersecting State Project No. 40 approximately one mile north of Beaumont, Metcalfe County, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating the primary sys-

tem of roads and highways of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 694. An Act to establish a road from the Jefferson Davis Highway to the Dixie B. Line in Todd County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky, a road, from Tress's Shop on the Jefferson Davis Highway, in Todd county, Kentucky, to the Dixie B. Line, at a point near the Barclay-McElwain place, in Todd county, Kentucky.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 695. An Act to establish a road from a point near the farm of the L. P. Trabue estate, on the Jefferson Davis Highway, in Todd County, Kentucky, to the Dixie B. Line, known as the Davis Mill Road, in Todd County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky, a road, from a point near the farm of the L. P. Trabue estate, on the Jefferson Davis Highway, in Todd County, Kentucky, to the Dixie B. Line, known as the Davis Mill Road, in Todd County, Kentucky.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William J. Curtis	J. Roy Johnson
U. G. Anderson	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	M. F. Jordan
S. A. Blackburn	C. B. Dowling	John B. Klefot
D. C. Bradley	W. C. Dugan	Frank LeBus
T. L. Britton	J. W. Edwards	Martin Light
John Young Brown	William A. Eimer	H. R. Marquette
John R. Buckman	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	John B. Furlong	Joseph Martin
Bradley Combs	F. A. Gnau	James A. May
Elmer Cook	L. B. Hamilton	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Clarence Miller
W. W. Cooper	C. E. Houk	Russell O. Miller
Ben L. Cox	R. L. Jackson	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris

H. L. Nickell	Dorsey Ratliff	Thomas H. Troxel
Curtis F. Park	Denny P. Smith	H. Speed Tye
James I. Peters	H. L. Taylor	J. E. Walters
John H. Pickett	Elmer J. Terry	Robert Williams
John W. Preston	E. J. Thomas	
W. E. Randall	J. A. Thompson	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 699. An Act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Horse Cave, Hart County, by way of Uno, Le Grand, Three Springs, Center and Sulphur Well to the Edmonton-Greensburg road near Sulphur Well, Metcalfe County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road from Horse Cave, Hart County, by way of Uno, Le Grand, Three Springs, Center, and Sulphur Well to the Edmonton-Greensburg road near Sulphur Well in Metcalfe County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 700. An Act establishing a road from a point on the Maysville and Lexington National Highway No. 68, westward over the old Sardis road to a point on State Highway No. 172, in Mason County, Kentucky, as a state primary road.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby establishd as a part of the primary systm of state highways of the Commonwealth of Kentucky a road known as the old Sardis road, in Mason Count, Kentucky, and leading from Ben Longnecker's corner on National Highway No. 68 westward to J. J. Disher's corner on State Highway No. 172, in Mason County, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the laws of the state of Kentucky appertaining to state highways.

§ 2. The Highway Commission is hereby directed to assign to the above road an appropriate project number.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 701. An Act establishing as a part of the primary system of roads and highways of this Commonwealth, a road beginning at Haysville on the Danville and Lebanon Highway No. 168, thence via Beech Fork School house, Campbell road to Lick Run road, Hunley Brothers, to Short Line Pike at Washington County line.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is hereby established as a part of the primary system of roads and highways of this Commonwealth, a road beginning at Haysville on the Danville and Lebanon Highway No. 168, thence via Beech Fork Schoolhouse, Campbell road to Lick Run road, Hunley Brothers, to Short Line Pike at Washington County line, the same to be known and designated as State Project No. —.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing a primary system of the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	James A. Campbell	Winn Davis
U. G. Anderson	Bradley Combs	James R. Dorman
W. O. Baxter	Elmer Cook	C. B. Dowling
S. A. Blackburn	Leonard Cook	W. C. Dugan
D. C. Bradley	W. W. Cooper	J. W. Edwards
T. L. Britton	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree	Virgil Eversole.
John R. Buckman	William J. Curtis	John B. Furlong

F. A. Gnau	B. K. Marshall, Jr.	W. E. Randall
L. B. Hamilton	Joseph Martin	Dorsey Ratliff
H. G. Handmaker	James A. May	Denny P. Smith
C. E. Houk	Harry J. Meyers	H. L. Taylor
R. L. Jackson	Clarence Miller	Elmer J. Terry
Grover C. Johnson	Russell O. Miller	E. J. Thomas
J. Roy Johnson	M. F. Moore	J. A. Thompson
Theron M. Johnson	B. T. Morris	Thomas H. Troxel
M. F. Jordan	H. L. Nickell	H. Speed Tye
John B. Klefot	Curtis F. Park	J. E. Walters
Frank LeBus	James I. Peters	Robert Williams
Martin Light	John H. Pickett	
H. R. Marquette	John W. Preston	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 711. An Act establishing as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road from the Stafford Cemetery on the Mayo Trail in Johnson County to the mouth of Miller's Creek.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road beginning at the Stafford Cemetery on the Mayo Trail in Johnson County about two miles east of Paints-

ville and running up the river through Lower Van Lear so as to connect with State Highway Project No. 271 at the mouth of Miller's Creek.

§ 2. The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly as amended to the same effect as if said road had been named in the original act as one of the projects of the Primary System of State Highways as provided therein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Winn Davis	M. F. Jordan
U. G. Anderson	James R. Dorman	John B. Klefot
W. O. Baxter	C. B. Dowling	Frank LeBus
S. A. Blackburn	W. C. Dugan	Martin Light
D. C. Bradley	J. W. Edwards	H. R. Marquette
T. L. Britton	William A. Eimer	B. K. Marshall, Jr.
John Young Brown	Virgil Eversole	Joseph Martin
John R. Buckman	John B. Furlong	James A. May
James A. Campbell	F. A. Gnau	Harry J. Meyers
Bradley Combs	L. B. Hamilton	Clarence Miller
Elmer Cook	H. G. Handmaker	Russell O. Miller
Leonard Cook	C. E. Houk	M. F. Moore
W. W. Cooper	R. L. Jackson	B. T. Morris
Ben L. Cox	Grover C. Johnson	H. L. Nickell
H. G. Crabtree	J. Roy Johnson	Curtis F. Park
William J. Curtis	Theron M. Johnson	James I. Peters

John H. Pickett	H. L. Taylor	H. Speed Tye
John W. Preston	Elmer J. Terry	J. E. Walters
W. E. Randall	E. J. Thomas	Robert Williams
Dorsey Ratliff	J. A. Thompson	
Denny P. Smith	Thomas H. Troxel	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 712. An Act to establish as a part of the primary System of Roads and Highways of the Commonwealth of Kentucky a road leading from Hindman, Kentucky, in Knott County by way of Ogden Creek, Vest, Kentucky, Baker Fork of Quicksand Creek, to the mouth of Caney Creek in Breathitt County, connecting with the Jackson-Salyersville highway, and designated as Project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby created and established as a part of the Primary Road System of the State of Kentucky, a road leading from Hindman, Kentucky, in Knott County by way of Ogden Creek, Vest, Kentucky, Baker Fork of Quicksand Creek, to mouth of Caney Creek in Breathitt County, connecting the Jackson-Salyersville highway, and designated as Project No. —.

Said road when established to be constructed, maintained, supervised, and controlled in the same way, manner,

terms, and conditions, as set out and provided for in Chapter 17 of the Acts of 1920 General Assembly, establishing and creating a Primary System of Roads, and shall be entitled to all benefits and subject to all the laws now or hereafter in force with relation to the same.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 715. An Act relating to the system of primary state roads, and establishing a road to be known as the Dotson Trail.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the system of primary state roads in Pike County, Kentucky, the road beginning at a point on Project No. S. P. 39½ at or near the mouth of the Pond Fork of Johns Creek and thence running up said Pond Fork Crossing on to Main Pond Creek, thence down Pond Creek via McVeigh, via Pinson Fork, via Stone, to Hudy, Pike County, Kentucky, a point where said road will intersect with Project No. S. P. 36, (Pikeville-Williamsburg Highway). Said road project shall be known as State Project No. —.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 716. An Act relating to the system of primary state roads, and establishing a road to be known as the Elkhorn Trail.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the system of primary state roads in Pike County, Kentucky, the road beginning at a point on Project No. S. P. 39½ at or near the mouth of Elkhorn Fork of Johns Creek, thence running up said Fork and crossing on to Grape Vine Creek, thence running down Grape Vine Creek to the mouth of said creek to a point where said road will intersect with Project No. 6½. Said road project shall be known as State Primary Project No. —.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	T. L. Britton	Elmer Cook
U. G. Anderson	John Young Brown	Leonard Cook
W. O. Baxter	John R. Buckman	W. W. Cooper
S. A. Blackburn	James A. Campbell	Ben L. Cox
D. C. Bradley	Bradley Combs	H. G. Crabtree

William J. Curtis	Theron M. Johnson	James I. Peters
Winn Davis	M. F. Jordan	John H. Pickett
James R. Dorman	John B. Klefot	John W. Preston
S. J. Douthitt	Frank LeBus	W. E. Randall
W. C. Dugan	Martin Light	Dorsey Ratliff
J. W. Edwards	H. R. Marquette	Denny P. Smith
William A. Eimer	B K. Marshall, Jr.	H. L. Taylor
Virgil Eversole	Joseph Martin	Elmer J. Terry
John B. Furlong	James A. May	E. J. Thomas
F. A. Gnau	Harry J. Meyers	J. A. Thompson
L. B. Hamilton	Clarence Miller	Thomas H. Troxel
H. G. Handmaker	Russell O. Miller	H. Speed Tye
C. E. Houk	M. F. Moore	J. E. Walters
R. L. Jackson	B. T. Morris	Robert Williams
Grover C. Johnson	H. L. Nickell	
J. Roy Johnson	Curtis F. Park	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 730. An Act establishing a State Primary Road Project from Eubank, Pulaski County, to Brodhead, Rockcastle County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established and created as a part of the Primary System of the State Highways of the Commonwealth of Kentucky, a road beginning at Eubank in

Pulaski County on U. S. 27 and running thence to Brodhead in Rockcastle County on U. S. —, subject to all the conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of the Commonwealth of Kentucky, establishing and creating a Primary System of State Highways.

§ 2. Said road shall be designated as Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 731. An Act establishing State Primary Road Project No. —, running from Clay, Webster County, Kentucky, to a point at or near Old Pleasant Valley Church thence near the original Sageracket school house, which is near the dividing line between Webster and Union Counties, thence to a point on the proposed State Primary road project running from Sullivan thru or near Pride Station to Boxville in Union County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State Highways of the Commonwealth of Kentucky, a road running from Clay, Webster County, Kentucky, to a point at or near Old Pleasant Valley Church thence near the Sageracket school house, which is near the dividing line between Webster and Union Counties, thence to a point on the proposed State Primary road project running from Sullivan thru or near Pride Station to Boxville in Union County, Kentucky.

§ 2. Said road shall be known as Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
J. B. Everhart
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 732. An Act establishing a State primary road project, inter-county seat road, between London, Laurel County, Kentucky, and McKee, Jackson County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road leaving U. S. Highway No. 25, at the Bill Nelson place, near Victor, Kentucky, running the old McKee road to the Jackson County line, at a point near W. T. King's residence on the Rockcastle river, by the way of Bond, Anville and Tiner, intersecting with McKee road, known as Bosworth Trail, a distance of about thirteen and a half miles.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John R. Buckman	H. G. Crabtree
U. G. Anderson	James A. Campbell	William J. Curtis
W. O. Baxter	Bradley Combs	Winn Davis
S. A. Blackburn	Elmer Cook	James R. Dorman
D. C. Bradley	Leonard Cook	C. B. Dowling
T. L. Britton	W. W. Cooper	W. C. Dugan
John Young Brown	Ben L. Cox	J. W. Edwards

William A. Eimer	Martin Light	John W. Preston
Virgil Eversole	H. R. Marquette	W. E. Randall
John B. Furlong	B. K. Marshall, Jr.	Dorsey Ratliff
F. A. Gnau	Joseph Martin	Denny P. Smith
L. B. Hamilton	James A. May	H. L. Taylor
H. G. Handmaker	Harry J. Meyers	Elmer J. Terry
C. E. Houk	Clarence Miller	E. J. Thomas
R. L. Jackson	Russell O. Miller	J. A. Thompson
Grover C. Johnson	M. F. Moore	Thomas H. Troxel
J. Roy Johnson	B. T. Morris	H. Speed Tye
Theron M. Johnson	H. L. Nickell	J. E. Walters
M. F. Jordan	Curtis F. Park	Robert Williams
John B. Klefot	James I. Peters	
Frank LeBus	John H. Pickett	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 733. An Act establishing a State primary road project, an inter-county seat road leading from Mt. Vernon to Lancaster.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at the city limits of Mt. Vernon, Kentucky, Rockcastle County, by the way of Hiatt postoffice, down Copper Creek hill, to the Garrard County line, a distance of about twelve miles, and from there to Lancaster, in Garrard County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 734. An Act establishing a State primary road project, road leading from Mt. Vernon to Broadhead, Rockcastle County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road beginning at the city limits of Mt. Vernon, in Rockcastle County, at a point in the Mt. Vernon-Crab Orchard road, known as the Boone Trail, running in a Westerly direction by the way of Gus Steaverson and J. C. Crawford, and intersecting the Dixie Boone Highway in Broadhead, Kentucky, Rockcastle County, a distance of about five miles.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	D. C. Bradley	James A. Campbell
U. G. Anderson	T. L. Britton	Bradley Combs
W. O. Baxter	John Young Brown	Elmer Cook
S. A. Blackburn	John R. Buckman	Leonard Cook

W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 738. An Act establishing and creating as a part of the Primary System of Roads and Highways of the Commonwealth of Kentucky a road leading from Williamsburg, Whitley County, Kentucky, to the Whitley County and Knox County line at the Henry McNeil residence, and designating said road as State project No. —.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby estblished as a part of the Primary System of State Roads and Highways, a road

leading from Williamsburg, Whitley County, Kentucky, via Browns Creek to Maple Creek; thence up Maple Creek to Meadow Creek, thence down Meadow Creek to the Forks of the Road at the Lank McKeehan farm; thence down Meadow Creek to the Tye's Ferry and Woodbine road; thence down the Tye's Ferry road to the Nathan Sharp place; thence to the Henry McKeehan place at the Whitley County and Knox County line and intersecting with the Knox County project No. —. Said road shall be designated as project No. —.

§ 2. The construction maintenance, supervision, and control of said road shall be subject to all terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a Primary System of State Highways, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relations to the Primary System of State Highways.

§ 3. All projects in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John Young Brown	W. W. Cooper
U. G. Anderson	John R. Buckman	Ben L. Cox
W. O. Baxter	James A. Campbell	H. G. Crabtree
S. A. Blackburn	Bradley Combs	William J. Curtis
D. C. Bradley	Elmer Cook	Winn Davis
T. L. Britton	Leonard Cook	James R. Dorman

C. B. Dowling	John B. Klefot	John H. Pickett
W. C. Dugan	Frank LeBus	John W. Preston
J. W. Edwards	Martin Light	W. E. Randall
William A. Eimer	H. R. Marquette	Dorsey Ratliff
Virgil Eversole	B. K. Marshall, Jr.	Denny P. Smith
John B. Furlong	Joseph Martin	H. L. Taylor
F. A. Gnau	James A. May	Elmer J. Terry
L. B. Hamilton	Harry J. Meyers	E. J. Thomas
H. G. Handmaker	Clarence Miller	J. A. Thompson
C. E. Houk	Russell O. Miller	Thomas H. Troxel
R. L. Jackson	M. F. Moore	H. Speed Tye
Grover C. Johnson	B. T. Morris	J. E. Walters
J. Roy Johnson	H. L. Nickell	Robert Williams
Theron M. Johnson	Curtis F. Park	
M. F. Jordan	James I. Peters	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 739. An Act establishing State Primary Road Project No. —, running from DeKoven, Union County, Kentucky, to a point on the Tradewater Trail near Sturgis in Union County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary Road System of the State Highways of the Com-

monwealth of Kentucky, a road running from DeKoven, Union County, Kentucky, to a point on the Tradewater Trail near Sturgis in Union County.

§ 2. Said road shall be known as Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 747. An Act to establish as part of the primary system of roads a road beginning at a point in the Old L. & N. Pike, now state project No. 1, near Bowling Green, to Franklin.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of roads a road beginning at a point in the Old L. & N. Pike, now state project No. 1, near Bowling Green, following the old Glasgow Trail and the Martinsville Road, by way of Hays, Three Forks, Claypool, Bays Fork, Sledge Ford and Boyce, to Franklin.

§ 2. The construction maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 748. An Act to establish as a part of the Primary

System of State Highways of the Commonwealth of Kentucky, a road leading from the Trigg-Christian County Line near Pee Dee, commonly known as the Newstead Road, running from said Christian County-Trigg County Line via Pee Dee and Newstead to a point where said Newstead Road joins what is known as the Canton Pike a few miles from the City of Hopkinsville, and from said junction via Canton Pike to the City Limits of the City of Hopkinsville.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky, a road commonly known as the Newstead road in Christian County, said road beginning at a point in the Christian-Trigg County line near Pee Dee and running through Christian County from said beginning via Pee Dee and Newstead to where said Newstead road joins what is known as the Canton Pike; and continuing via said Canton Pike to the City Limits of the City of Hopkinsville, Kentucky. Upon this Act the said road from its beginning, and running over the old roads known as Newstead Road and that portion of Canton Pike herein referred to, shall be known in the Primary System as the Newstead Road its entire length to Hopkinsville.

§ 2. The construction, maintenance, supervision and control of said Newstead road as herein designated, shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 752. An Act to establish a new primary road project to be known as project No. —, beginning in the state road which leads from Princess, Boyd county, Kentucky, to the Belfont Country Club, in Boyd county, at a point in said road at or near the mouth of Straight creek, and up said creek and down Cole branch and on to a point in the Grayson-Greenup road opposite or above Laurel station.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary road system of this State, a road beginning in the Princess and Belfont Club Road at a point near the mouth of Straight creek in Boyd County, Kentucky, thence running up said creek and down Cole branch and on so as to intersect the Grayson-Greenup road at a point opposite or above Laurel station in Greenup county, Kentucky, to be known as project No. —.

§ 2. Said project is hereby declared to be subject to all the terms and conditions of chapter 17 of the Acts of 1920 establishing and creating a primary system of State highways, of which system said project shall be and become a part.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 754. An Act establishing as a part of the primary

road system of the Commonwealth of Kentucky, a road in Marion County, beginning at Kennet Schoolhouse at the forks of Jones Fork and Rolling Fork creeks, thence via Bert Hogans, Hancock road, Rileys Station, to Lebanon and Danville Highway No. 168 near W. W. Baxter's residence.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways in this Commonwealth, the following route, to-wit:

Beginning at Kennet Schoolhouse at the forks of Jones Fork and Rolling Fork creeks, thence via Bert Hogans, Hancock road, Rileys Station, to Lebanon and Danville Highway No. 168 near W. W. Baxter's residence.

§ 2. The said project thus established to be known and designated as Project No. —, and to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of roads and highways of this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. O. Baxter	D. C. Bradley
U. G. Anderson	S. A. Blackburn	T. L. Britton

John Young Brown	L. B. Hamilton	B. T. Morris
John R. Buckman	H. G. Handmaker	H. L. Nickell
James A. Campbell	C. E. Houk	Curtis F. Park
Bradley Combs	R. L. Jackson	James I. Peters
Elmer Cook	Grover C. Johnson	John H. Pickett
Leonard Cook	J. Roy Johnson	John W. Preston
W. W. Cooper	Theron M. Johnson	W. E. Randall
Ben L. Cox	M. F. Jordan	Dorsey Ratliff
H. G. Crabtree	John B. Klefot	Denny P. Smith
William J. Curtis	Frank LeBus	H. L. Taylor
Winn Davis	Martin Light	Elmer J. Terry
James R. Dorman	H. R. Marquette	E. J. Thomas
C. B. Dowling	B. K. Marshall, Jr.	J. A. Thompson
W. C. Dugan	Joseph Martin	Thomas H. Troxel
J. W. Edwards	James A. May	H. Speed Tye
William A. Eimer	Harry J. Meyers	J. E. Walters
Virgil Eversole	Clarence Miller	Robert Williams
John B. Furlong	Russell O. Miller	
F. A. Gnau	M. F. Moore	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 760. An Act to establish as a part of the Primary Road System of the State of Kentucky a road leading from a point where the Haddix Bridge connects with the Jackson-Hazard Highway in Breathitt County, crossing the North Fork of Kentucky River to the Haddix depot station.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby created and established as a part of Kentucky a road leading from a point where the Haddix bridge connects with the Jackson-Hazard Highway in Breathitt County, crossing the North fork of Kentucky River to the Haddix depot station.

Said road when established to be constructed, maintained, supervised and controlled in the same way, manner, terms and conditions as set out and provided for in Chapter 17, page 76, of the Acts of the General Assembly, dated 1920, establishing and creating a primary system of state roads and same shall be designated as project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Leonard Cook	Virgil Eversole
U. G. Anderson	W. W. Cooper	John B. Furlong
W. O. Baxter	Ben L. Cox	F. A. Gnau
S. A. Blackburn	H. G. Crabtree	L. B. Hamilton
D. C. Bradley	William J. Curtis	H. G. Handmaker
T. L. Britton	Winn Davis	C. E. Houk
John Young Brown	James R. Dorman	R. L. Jackson
John R. Buckman	C. B. Dowling	Grover C. Johnson
James A. Campbell	W. C. Dugan	J. Roy Johnson
Bradley Combs	J. W. Edwards	Theron M. Johnson
Elmer Cook	William A. Eimer	M. F. Jordan

John B. Klefot	M. F. Moore	H. L. Taylor
Frank LeBus	B. T. Morris	Elmer J. Terry
Martin Light	H. L. Nickell	E. J. Thomas
H. R. Marquette	Curtis F. Park	J. A. Thompson
B. K. Marshall, Jr.	James I. Peters	Thomas H. Troxel
Joseph Martin	John H. Pickett	H. Speed Tye
James A. May	John W. Preston	J. E. Walters
Harry J. Meyers	W. E. Randall	Robert Williams
Clarence Miller	Dorsey Ratliff	
Russell O. Miller	Denny P. Smith	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 761. An Act establishing as a part of the primary system of state highways, a road from a point near the Mark Post Office, Pulaski County, to London, Laurel County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of the state highways of the Commonwealth of Kentucky, a road from a point near the Mark Post Office, Pulaski County, on the proposed road from Somerset, Pulaski County, to Mt. Vernon, Rockcastle County, and running by the most practical route to London, Laurel County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and con-

ditions set out and provided for in Chapter 17, of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 762. An Act establishing as a part of the primary system of state highways, a road from Somerset, Pulaski County, to Mt. Vernon, Rockcastle County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of state highways of the Commonwealth of Kentucky, a road beginning at Somerset, Pulaski County, over the most parctical route by way of or near Mark Post Office, Pulaski County, to Mt. Vernon, Rockcastle County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	John H. Pickett
John Young Brown	C. E. Houk	James I. Peters
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 767. An Act creating a road project in Mercer County, Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the system of Primary State roads in Mercer County, Kentucky, the road beginning at a point where Mercer and Boyle counties join on what is now known as the Harrodsburg and Perryville turnpike at the beginning of Project No. 468, and running to Harrodsburg, Kentucky, a distance of approximately six miles. Said road project shall be known as State Primary Project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William J. Curtis	J. Roy Johnson
U. G. Anderson	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	M. F. Jordan
S. A. Blackburn	C. B. Dowling	John B. Klefot
D. C. Bradley	W. C. Dugan	Frank LeBus
T. L. Britton	J. W. Edwards	Martin Light
John Young Brown	William A. Eimer	H. R. Marquette
John R. Buckman	Virgil Eversole	B. K. Marshall, Jr.
James A. Campbell	John B. Furlong	Joseph Martin
Bradley Combs	F. A. Gnau	James A. May
Elmer Cook	L. B. Hamilton	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Clarence Miller
W. W. Cooper	C. E. Houk	Russell O. Miller
Ben L. Cox	R. L. Jackson	M. F. Moore
H. G. Crabtree	Grover C. Johnson	B. T. Morris

H. L. Nickell	Dorsey Ratliff	Thomas H. Troxel
Curtis F. Park	Denny P. Smith	H. Speed Tye
James I. Peters	H. L. Taylor	J. E. Walters
John H. Pickett	Elmer J. Terry	Robert Williams
John W. Preston	E. J. Thomas	
W. E. Randall	J. A. Thompson	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 774. An Act to establish and create a road beginning at Benson Bridge in Anderson County and run by way of Marlowe School; thence to the "Spot"; thence to Mt. Eden, Kentucky, in Shelby County.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part of the Primary road system of the Commonwealth of Kentucky, a road beginning at Benson Bridge in Anderson County; thence by way of Marlowe School; thence to Gee; thence to the "Spot"; thence to Mt. Eden in Shelby County.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary road system.

The Highway Commission is directed to assign an appropriate project number.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	Speed H. Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 775. An Act to establish and create a road beginning at Taylorsville in Spencer County and running to Van Buren in Anderson County by way of Glensboro; thence from Glensboro to Lawrenceburg joining State Road 35.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part of the Primary road system of the Commonwealth of Kentucky, a road beginning at Taylorsville in Spencer County to Van Buren in Anderson County by the way of Glensboro thence from Glensboro to Lawrenceburg joining state road 35.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary road system.

The Highway Commission is directed to assign an appropriate project number.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Virgil Eversole	M. F. Moore
W. O. Baxter	John B. Furlong	B. T. Morris
S. A. Blackburn	F. A. Gnau	H. L. Nickell
D. C. Bradley	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	James I. Peters
John Young Brown	C. E. Houk	John H. Pickett
John R. Buckman	R. L. Jackson	John W. Preston
James A. Campbell	Grover C. Johnson	W. E. Randall
Bradley Combs	J. Roy Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	Denny P. Smith
Leonard Cook	M. F. Jordan	H. L. Taylor
W. W. Cooper	John B. Klefot	Elmer J. Terry
Ben L. Cox	Frank LeBus	E. J. Thomas
H. G. Crabtree	Martin Light	J. A. Thompson
William J. Curtis	H. R. Marquette	Thomas H. Troxel
Winn Davis	B. K. Marshall, Jr.	H. Speed Tye
James R. Dorman	Joseph Martin	J. E. Walters
C. B. Dowling	James A. May	Robert Williams
W. C. Dugan	Harry J. Meyers	
J. W. Edwards	Clarence Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 547. An Act establishing as a part of the primary

system of State highways, a road from the Saint Helens Bridge across the Middle Fork of the Kentucky river on project No. 29, in Lee county, via Airdale Bridge crossing the North Fork of the Kentucky river, to the intersection of project No. 4, near Pine Ridge in Wolfe county.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky the following, to-wit: From the intersection of project No. 29, at or near the St. Helens highway bridge crossing the Middle Fork of the Kentucky river, in Lee county, via the Airdale highway bridge crossing the North Fork of Kentucky, in Lee county, to intersection of project No. 4, near Pine Ridge, in Wolfe county, to be known as State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
John R. Buckman
James A. Campbell
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
W. C. Dugan
C. B. Dowling
J. W. Edwards
William A. Eimer
Virgil Eversole
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Curtis F. Park
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
H. L. Taylor
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
J. E. Walters
Robert Williams

—61

Resolved that the title thereof be as aforesaid.

Mr. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the following resolution was introduced, by Mr. Dorman.

H. Res. 51. Resolution authorizing Muir Wells of Nicholasville to sue the Commonwealth of Kentucky and the State Highway Commission.

Which was ordered printed and referred to Committee on Rules.

The hour of twelve o'clock Meridian, having arrived, the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 41. An Act to reorganize the administration of the executive department of the state government and certain administrative departments of the state government properly coming within the control and jurisdiction of the executive department, in order to secure better service, and through co-ordination and consolidation, to promote economy and efficiency in the administration of the executive department and of its subordinate branches; and to this end creating in the governor's office a division of the budget, under the direction of a director of the budget, defining his powers and duties and abolishing the offices of state budget officer and state inspector and examiner; creating a division of purchases and property under the direction of a director of purchases and property, defining his powers and duties, abolishing the offices of custodian of public buildings and superintendent of public printing and repealing Section 3990-16f of Carroll's Kentucky Statutes, 1928 Supplement, relating to contracts for public printing; creating a division of records under the direction of the secretary of state, and consolidating the duties of the auditor of public accounts in relation to the land office records with the division of records; creating a division of pardons under the direction of the commissioner of pardons, amending Section 4357B-2 of Carroll's Kentucky Statutes, 1928 Supplement, relating to the qualifications of the commissioner of pardons; creating a division

of military affairs under the direction of the adjutant general; creating, under the control of the governor by appointment, the department of taxation under the direction of a state tax commissioner, defining his powers and duties, providing for confirmation by the general assembly, fixing his salary, abolishing the state tax commission and continuing in force all laws in relation to the state tax commission; creating a department of law under the direction of the attorney general fixing his salary and creating by appointment of the attorney general, the office of assistant attorney general in charge of revenue and taxation, defining his duties and providing for his compensation and tenure of office, providing, under the direction of the attorney general, a division of legislative drafting and defining the powers of the attorney general in reference thereto; creating, under the control of the governor by appointment, the department of highways under the direction of a state highway commissioner, defining his powers and duties, providing for confirmation by the general assembly, fixing his salary, abolishing the state highway commission and continuing in force all laws in relation to the state highway commission, and relating to the construction and maintenance of roads and bridges; creating a department of education under the direction of a state board of education, consisting of the superintendent of public instruction, the President of the University of Kentucky and eight (8) additional members by appointment of the governor, defining their terms of office and qualifications, defining the duties of the superintendent of public instruction and the powers and duties of the members of the state board of education, and abolishing numerous independent boards and commissions now in charge of the various educational institutions of the state, transferring their powers and duties to the state board of education and continuing in existence all provisions of law relating to education not inconsistent with this act, transferring the Kentucky Geological Survey to the University of Kentucky; creating, under the control of the governor by ap-

pointment, the department of corporations under the direction of a state corporation commissioner, defining his powers and duties, providing for confirmation by the general assembly, fixing his salary, transferring the dutes of the secretary of state in relation to corporations to the department of corporations, abolishing the department of banking and the office of banking commissioner, and transferring his powers and duties to the corporation commissioner, abolishing the insurance department and the office of insurance commissioner and transferring his powers and duties to the corporation commissioner, transferring the powers and duties of the auditor of public accounts in relation to fire insurance rates and prevention of fires to the corporation commissioner, abolishing the office of commissioner of securities and transferring the powers and duties of the Kentucky Securities Department to the state corporation commissioner, establishing in the department of corporation the office of corporation clerk, the division of banks, the division of insurance and the division of securities; creating, under the control of the governor by appointment the department of labor under the direction of a commissioner of labor, defining his powers and duties, providing for confirmation by the general assembly, fixing his salary, transferring the duties of the commissioner of agriculture, labor and statistics, in relation to labor inspection and statistics, to the commissioner of labor, continuing in force all laws not inconsistent with this act in relation to the inspection of mines and protection of mine property, abolishing the department of mines and the office of chief inspector of mines and transferring the powers and duties of said department to the commissioner of labor, continuing in force all laws in relation to the workmen's compensation board and providing for the appointment of members of the board by the commissioner of labor, subject to the approval of the governor; creating the department of agriculture under the direction of the commissioner of agriculture, labor and statistics, establishing a board of agriculture, providing for their

appointment and terms of office, removal and compensation, defining the powers and duties of the commissioner of agriculture in relation thereto; requiring certain officers to execute official bonds; and prohibiting the payment of salaries to any person when not duly confirmed by the general assembly.

With a Committee amendment thereto.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Executive Department—In the governor's office there are hereby created the following divisions:

(1) Division of budget.
(2) Division of purchases and property.
(3) Division of records.
(4) Division of pardons.
(5) Division of military affairs.

§ 2. Division of Budget—For the division of the budget a director shall be appointed by the governor, who shall hold his position at the pleasure of the governor, except during a regular session of the legislature and for two (2) months prior thereto, when such director shall be removable by the governor only for cause, and who shall, under the direction and control of the governor, exercise such powers and perform such duties as have been heretofore conferred or imposed by law upon the budget commission, and said budget commission is hereby abolished. The director of the budget shall receive a salary to be fixed by the governor within the amount appropriated therefor. The director of the budget shall further exercise such powers and perform such duties as have heretofore been conferred, or imposed, by law upon the state budget officer, and the state inspector and examiner, respectively, and the offices of state budget and state inspector and examiner, respectively, are hereby abolished. The director

of the budget shall, in addition, perform such other duties as may be required of him by the governor. In addition thereto, such director shall have power, and it shall be his duty, thoroughly to edit and reduce, to concise and readable form, every annual, biennial or other report or publication of any kind, proposed by any state department, office, board, commission, or other agency, to be printed out of public funds; and it shall be unlawful for any such report or publication to be printed, unless and until, it shall have been submitted to such director, and such editing shall have been done, as herein required, and a certificate thereof, signed by the director, attached to the report or other publication; provided, however, that should such director eliminate any matter from any such proposed report or publication, without the consent of the state agency submitting the same, he shall promptly notify the said agency in such form as clearly to identify the matter eliminated. The said agency, upon giving notice in writing to the said director, may thereupon appeal from said director's decision to the governor, under such regulations as the governor may prescribe, who shall have the authority upon such appeal to order the reinstatement in said proposed report or publication of any such material eliminated therefrom by said director, and all matter so eliminated without the consent of the state agency submitting shall be preserved in the office of the governor and kept open to public inspection; and provided, further, that the provisions hereof with reference to editing shall not apply to opinions, orders, notices, process, or evidence ordered printed by any judicial or quasi-judicial officers, court or commission, or to any brief or argument to be filed in any judicial or quasi-judicial proceeding, or to assessments or forms of assessments, or any agency of the government charged with the assessment of property for taxes, nor shall the powers herein conferred upon the director of the budget and the governor apply to educational publications issued by the University of Kentucky and the State Normal Schools and Teachers Colleges.

§ 3. Division of Purchases and Property—For the division of purchases and property a director shall be appointed by the governor, who shall hold his position at the pleasure of the governor, and who shall receive a salary to be fixed by the governor within the amount appropriated therefor. Under the direction and control of the governor, the director of purchases and property shall exercise such powers and perform such duties as have been heretofore conferred or imposed by law upon the state purchasing commission, and the said state purchasing commission is hereby abolished.

With the advice and consent of the governor, the director of purchases and property shall have power to appoint, at salaries to be fixed by the governor within the amount appropriated therefor, (1) a custodian of public buildings, and (2) a superintendent of public printing, both of whom shall hold office at the pleasure of the governor.

The office of custodian of public buildings created by Section 3942a-1 of Carroll's Kentucky Statutes is hereby abolished, provided, however, that the officer appointed by the director of purchases and property, in pursuance of this act, shall exercise such powers and perform such duties as have been heretofore conferred or imposed by law upon the custodian of public buildings.

The office of superintendent of public printing created by Section 3953-a-1 of Carroll's Kentucky Statutes is hereby abolished, provided, however, that the officer appointed by the director of purchases and property, in pursuance of this act, shall exercise such powers and perform such duties as have been heretofore conferred or imposed by law upon the superintendent of public printing.

Section 3a. Contracts for Public Printing—Section 3990-16f of Carroll's Kentucky Statutes, 1928 Edition, reading as follows:

"Nothing in this act contained shall affect contracts for public printing, except that the purchase of all sup-

plies and paper for public printing shall be made by and be subject to the supervision and control of the state purchasing commission in the same manner as all other contracts for materials, supplies and equipment, provided for in this act,''

is hereby repealed.

§ 4. Division of Records—The secretary of state shall be in direct charge of the division of records. All the powers conferred and all the duties imposed by law upon the secretary of state shall continue to be exercised or performed by him, except such powers and duties in relation to private corporations, both domestic and foreign, as may by this act be transferred to the department of corporations hereinafter created.

Section 4a. Land Office Records—In addition to the powers and duties of the secretary of state referred to in this section, he shall, under the direction and control of the governor, exercise such powers and perform such duties as have been heretofore conferred or imposed by law upon the auditor of public accounts under and by virtue of the provisions of Sections 4001, 4018, inclusive, of Carroll's Kentucky Statutes, in relation to the office of register of the land office.

§ 5. Division of Pardons.—The commissioner of pardons shall be in direct charge of the division of pardons. All the powers conferred and all the duties imposed by law upon the commissioner of pardons shall continue to be exercised or performed by him.

Section 5a. Qualifications of Pardon Commissioner—Section 4357-b-2 of Carroll's Kentucky Statutes, 1928 Supplement, is hereby amended and re-enacted by adding thereto the following proviso:

Provided, however, that no person shall be appointed as commissioner of pardons who has not been a duly licensed and practicing member of the bar of this state, in good standing, for a period of at least five (5) years next preceding the date of his appointment,

so that when said section is amended and re-enacted is shall read as follows:

"Term of Office and Qualifications. That the commissioner of pardons shall hold his position subject to the will of the governor, and shall be subject to removal, with or without cause, at any time by the governor, provided, however, that no person shall be appointed as commissioner of pardons who has not been a duly licensed and practicing member of the bar of this state, in good standing, for a period of at least five (5) years next preceding the date of his appointment."

§ 6. Division of Military Affairs—The adjutant general shall be in direct charge of the division of military affairs. He shall be appointed by the governor as provided by the Constitution of Kentucky and all the powers conferred and all of the duties imposed by the constitution and by law upon the adjutant general shall continue to be exercised or performed by him, under the direction and control of the governor.

§ 7. Administrative State Departments: There are hereby created and established the following administrative departments of the state government:

(1) Department of Taxation.
(2) Department of Law.
(3) Department of Highways.
(4) Department of Education.
(5) Department of Corporations.
(6) Department of Labor.
(7) Department of Agriculture.

§ 8. Department of Taxation—There is hereby created a state tax department. The director of the department shall be the state tax commissioner, who shall be appointed by the governor, subject to confirmation by the general assembly in joint session assembled if in session when such appointment is made, and if not in session, then at its next succeeding session. He shall hold office for a term coincident with that of each governor making the appointment, or until his suc-

cessor shall be appointed and qualified, and shall not be removed by the governor except for cause. For his services the state tax commissioner shall be paid out of the state treasury the sum of five thousand dollars ($5,000.00) per annum and his necessary traveling expenses in performance of his official duties, vouchers for which said expenses shall be approved by the governor. The state tax commission is hereby abolished, provided, however, that all of the powers and all of the duties imposed by law upon the commission are hereby transferred to and vested in the state tax commissioner, to be exercised or performed by him. Whenever the words "state tax commission" or other words denoting that commission, appear in any statute heretofore enacted and not repealed, the same shall be construed to mean the state tax commissioner. All existing provisions of law, not inconsistent with this act, in relation to the state tax commission are continued in force.

Section 8a. Subordinates—The state tax commissioner may, subject to approval by the governor, appoint such deputy tax commissioners, tax assistants, agents, experts, or other employees and assistants as may be necessary for the exercise of the powers herein transferred to and conferred upon his office, and the commissioner shall prescribe their duties and fix their compensation, including the duties and compensation of the secretary, all of which compensation shall not exceed in the aggregate the amount biennially appropriated by the general assembly for that purpose. The tax commissioner may transfer officers or employees from their positions to other positions in the department, or abolish or consolidate such positions. The tax commissioner may remove from office any officer or employee in the department for neglect of duty, incompetence in the discharge of his duties, immorality, corrupt practices, or for other cause affecting the performance or discharge of his duties, or to reduce the number employed, but no such officer or employee may be removed by the state tax commissioner for political party purposes, or

by reason of the party affiliation of any such officer or employee. The tax commissioner shall have power to establish, consolidate or abolish divisions or bureaus within the department for the purpose of expediting the transaction of the various branches of the revenue service within the department and for the purpose of making the same more efficient and reducing expenses of the department. Each division or bureau in the department shall be in charge of a deputy commissioner, subject to the supervision of the state tax commissioner, and subject to such rules and regulations as the state tax commissioner may from time to time adopt and promulgate for the operation and management of the department.

§ 9. Department of Law—The attorney general shall be the chief executive officer of the department of law, whose salary shall hereafter be five thousand dollars ($5,000.00) per annum. Except as otherwise provided in this act, all existing provisions of law not inconsistent with this act in relation to the attorney general shall continue in force.

Section 9a. Subordinates—Upon the recommendation and with the approval of the state tax commissioner, the attorney general may designate a duly licensed, qualified and practicing member of the bar of this state as assistant attorney general in charge of revenue and taxation, to be regularly assigned to duty in the office of the tax commissioner, which said assistant attorney general shall be classified and paid as other officers and employees of the department of taxation, both with respect to compensation and tenure of office, except that it shall be the duty of such assistant attorney general to act under the direction and subject to the orders of the attorney general in all matters involving litigation to which the state or any of its departments, agencies or subdivisions are a party, or in all questions of law in which the state or any of its departments, agencies or subdivisions may or shall be interested.

Section 9b. Division of Legislative Drafting—There is

hereby established in the department of law a division of legislative drafting. An assistant attorney general shall be designated by the attorney general to have direct charge of such division, which designation, however, shall be subject to the approval of the governor. Such designation may be changed by the attorney general at any time, subject to the approval of the governor. The assistant attorney general so designated shall be provided with suitable offices in the capitol building, convenient to the members of the legislature and to the state library for a period of at least thirty (30) days before and after each session and shall give personal attention to the requests of the governor and to the members of the legislature. The attorney general is authorized to appoint such assistant draftsmen and such stenographers in such division for such periods as the necessity of the work may require and to fix their compensation, subject to the approval of the governor, within the amount appropriated biennially by the legislature for that purpose.

§ 10. State Highway Department—The director of the department shall be the state highway commissioner, who shall be appointed by the governor, subject to the confirmation of the general assembly, in joint session assembled, if in session when such appointment is made, and if not in session, then at its next succeeding session. He shall hold office for a term coincident with that of each governor making the appointment, or until his successor shall be appointed and qualified, and shall not be removed by the governor, except for cause. For his services the state highway commissioner shall be paid out of the state treasury the sum of five thousand dollars ($5,000.00) per annum and his necessary traveling expenses in the performance of his official duties, vouchers for which said expenses shall be approved by the governor, and which said sum or sums for salary and expenses shall be charged to the state road fund. The state highway commission is hereby abolished, provided, however, that all of the powers and all of the duties imposed by law

upon that commission are hereby transferred to and vested in the state highway commissioner to be exercised or performed by him. Whenever the words "state highway commission" or any other words denoting that commission appear in any statute heretofore enacted and not repealed, the same shall be construed to mean the state highway commissioner. All existing provisions of law, not inconsistent with this act, in relation to the state highway commission and all other existing laws relating to the construction and maintenance of roads and bridges are continued in force.

Section 10a. Subordinates—The state highway commissioner may, subject to approval by the governor, appoint such deputy highway commissioners, assistants, agents, experts, engineers or other employees and assistants as may be necessary for the exercise of the powers herein transferred to and conferred upon his office, and the commissioner shall prescribe their duties and fix their compensation, including the duties and compensation of the secretary, all of which compensation shall not exceed in the aggregate the amount biennially appropriated by the general assembly for the purpose. The highway commissioner may transfer officers or employees from their positions to other positions in the department, or abolish or consoliate such positions. The commissioner may remove from office any officer or employee in the department for the neglect of duty, incompetence in the discharge of his duties, immorality, corrupt practice, or for other cause affecting the performance or discharge of his duties, or to reduce the number employed, but no such officer or employee may be removed by the state highway commissioners for political party purposes, or by reason of the party affiliation of any such officer or employee. The highway commissioner shall have power to establish, consolidate or abolish divisions or bureaus within the department for the purpose of expediting the transaction of the various branches of the service within the department and for the purpose of making the same more efficient. Each

division or bureau in the department shall be in charge of a deputy commissioner, subject to the supervision of the state highway commissioner and subject to such rules and regulations as the state highway commissioner may from time to time adopt and promugate for the operation and management of the department.

§ 11. Department of Education—There is hereby created a department of education and a state board of education which shall direct the activities of the department and shall consist of the superintendent of public instruction, who shall be ex-officio president of the Board, and of eight additional members who shall be appointed by the governor. In the first instance, two of the eight members shall be appointed for terms of one year, two members for terms of two years, two members for terms of three years, and two members for terms of four years. Thereafter, all appointments shall be made for terms of four years. In all cases appointments shall be made for the terms as hereinbefore designated and until a successor shall have been appointed and shall have qualified. The governor shall fill all vacancies occurring in the membership of the board for the unexpired term, and may remove any member, after a hearing, for cause. All appointments to the board shall be made without reference to the political affiliation of the appointee, provided, however, that no person shall be eligible to be appointed a member of the board, who, at the time of his appointment by the governor, is not a citizen and resident of this state, or who is not a graduate of some university or college of recognized standing in educational circles equal to the standing of the University of Kentucky, and, provided, further, that the President of the Unversity of Kentucky shall be ex-officio member of said board and shall exercise all of the rights and powers herein conferred upon the members of said board.

Section 11a. Superintendent of Public Instruction—The superintendent of public instruction shall receive a salary of not less than five thousand dollars ($5,000.00) per year. In

addition to his duties as president of the board, the superintendent of public instruction shall be the executive head of the school system of the state, shall have charge of the distribution of the common school fund, shall serve as a member of the Board of Trustees of the State University, and shall perform such other duties as may be assigned to him by the Board. The state board of education as created by Section 4377 of Carroll's Kentucky Statutes is hereby abolished.

Section 11b. Compensation of Members of the Board of Education—The members of the state board of education shall each receive the sum of ten dollars ($10.00) per day for each and every day necessarily devoted to the discharge of the duties of office, and in addition thereto their actual and necessary traveling and other expenses incurred while in the performance of their official duties.

Section 11c. Powers of members of the State Board of Education—The state board of education shall possess the following powers and exercise and discharge the following rights and duties:

(1) To exercise the rights, powers and duties vested by law in the state board of education as now constituted, and its respective officers and employees.

(2) To exercise the rights, powers and duties now vested by law, and which are hereby continued in force, in the state board of examiners, the state text book commission, the Board of Trustees for the West Kentucky Industrial College, the Board of Trustees of the Kentucky State Industrial College for Colored Persons, the Board of Regents for each of the State Normal Schools and teachers Colleges designated by chapter 87 of the Acts of 1926, the state normal school commission, the vocational educational board; the Board of Visitors of the Kentucky School for the Blind, the Board of Commissioners of the Kentucky School for the Deaf.

(3) To exercise the rights, powers and duties vested by law in the superintendent of public instruction, except as otherwise provided in section 11a of this act.

The state board of examiners, the state text book commission, the Board of Trustees for the West Kentucky Industrial College, the Board of Trustees of the Kentucky State Industrial College for Colored Persons, the Board of Regents of each of the State Normal Schools and Teachers Colleges designated by Chapter 97 of the Acts of 1926, the state normal school commission, the vocational educational board, the Board of Visitors of the Kentucky School for the Blind, the Board of Commissioners of the Kentucky School for the Deaf are hereby abolished, and all powers and all duties imposed by law upon each and every of the boards or commissions hereinabove named are hereby transferred to and vested in the state board of education created by this act, to be exercised and performed by said board. All existing provisions of law not inconsistent with this act are continued in force.

Section 11d. Subordinates—The state board of education may, subject to approval by the governor, appoint such superintendents, agents, experts, or other employees and assistants as may be necessary for the exercise of the powers herein transferred to and conferred upon the state board of education, and the board shall prescribe their duties and fix their compensation, including the duties and compensation of the secretary, all of which compensation shall not exceed in the agregate the amount biennially appropriated by the general assembly for that purpose. The state board of education may transfer superintendents, agents, officers, or other employees from their positions to other positions in the department, or abolish, or consolidate such positions. The state board of education may remove from office any superintendent, agent, officer, or other employee in the department for neglect of duty, or incompetence in the discharge of his duties, immorality, corrupt practices, or for any cause affecting the performance or discharge of his duties, or to reduce the number employed, but no such superintendent, agent, officer, or other employee may be removed by the board for

political party purposes, or by reason of the party affiliation of any such superintendent, agent, officer or other employee. The board shall have power to establish, consolidate or abolish divisions of bureaus within the department for the purpose of expediting the transaction of the various branches of the educational system within its jurisdiction, and for the purpose of making the same more economical and efficient, and shall have power to adopt and promulgate rules and regulations from time to time for the operation and management of the department and its various divisions and bureaus.

Section 11e. Geological Survey—The Kentucky Geological Survey is hereby transferred to and shall constitute a department of the University of Kentucky. The director and State Geologist shall be appointed by the President of the University of Kentucky, with the approval of the Board of Trustees, for a term of four years, and may be removed by the President of the University and Board of Trustees of the University. The duties of the Director and State Geologist and the duties of the Kentucky Geological Survey shall remain as now prescribed by law. The Director and State Geologist shall not be assigned to teaching duties.

§ 12. Department of Corporations—There is hereby created a state department of corporations. The director of the department shall be the state corporation commissioner, who shall be appointed by the governor, subject to confirmation by the general assembly, in joint session assembled, if in session when such appointment is made, and if not in session, then at its next succeeding session. He shall hold office for a term coincident with that of each governor making the appointment, or until his successor shall be appointed and qualified, and shall not be removed by the governor, except for cause. For his services the corporation commissioner shall be paid out of the state treasury the sum of five thousand dollars ($5,000.00) per annum and his necessary traveling expenses in the performance of his official duties,

vouchers for which said expenses shall be approved by the governor.

All existing provisions of law, not inconsistent with this act, in relation to the duties of the secretary of state pertaining to the filing of articles of incorporation in his office and to the filing of all other corporate statements for process agents, reports and other papers required by law to be filed in his office by corporations, together with all other rights, powers and duties of the secretary of state in relation to corporations are continued in force, provided, however, that by this act the said rights, powers and duties thereunder are hereby transferred to and vested in the office of state corporation commissioner to be exercised and performed by him.

All existing provisions of law in relation to banks and banking, of whatsoever nature or description, not inconsistent with this act, are continued in force, provided, however, that all the powers conferred and all the duties imposed by law upon the department of banking and the banking commissioner are hereby transferred to and vested in the state corporation commissioner to be exercised and performed by him. The department of banking and office of banking commissioner are hereby abolished.

All existing provisions of law in relation to insurance, of whatsoever nature or description, not inconsistent with this act, are continued in force, provided, however, that all the powers conferred and all of the duties imposed by law upon the insurance department and the insurance commissioner are hereby transferred to and vested in the state corporation commissioner to be exercised and performed by him. The insurance department and the office of insurance commissioner are hereby abolished.

All existing provisions of law in relation to fire insurance rates and prevention of fires, not inconsistent with this act, are continued in force, provided, however, that all the duties imposed by law upon the auditor of public accounts in relation thereto are hereby transferred to and vested in the

state corporation commissioner to be exercised and performed by him.

All existing provisions of law, not inconsistent with this act, in relation to the Kentucky Securities Department are continued in force, provided, however, all of the powers conferred and all the duties imposed upon the commissioner of securities are hereby transferred to and vested in the state corporation commissioner to be exercised and performed by him. The office of commissioner of securities is hereby abolished.

Section 12a. Subordinates—The state corporation commission may, subject to approval by the governor, appoint such deputy commissioners, assistants, agents, experts, or other employees and assistants as may be necessary for the exercise of the powers herein transferred to and conferred upon his office, and the commissioner, subject to the provisions of this section, shall prescribe their duties and fix their compensation, including the duties and compensation of the secretary of the department, all of which compensation shall not exceed in the aggregate the amount biennially appropriated by the general assembly for that purpose. The corporation commissioner may transfer officers or employees from their positions to other positions in the department, or abolish or consolidate such positions. The commissioner may remove from office any officer or employee in the department for neglect of duty, incompetence in the discharge of his duties, immorality, corrupt practices, or for other cause affecting the performance or discharge of his duties, or to reduce the number employed, but no such officer or employee may be removed by the commissioner for political party purposes, or by reason of the party affiliations of any such officers or employees.

There are hereby established within the department of corporations the following divisions:

(1) Office of corporation clerk,

(2) Division of banks,

(3) Division of insurance, and

(4) Division of securities,

provided however, the corporation commissioner shall have power to establish, consolidate or abolish the divisions or bureaus within the department for the purpose of expediting the transaction of the various branches of business transacted within the department and for the purpose of making the same more efficient. Each division or bureau in the department shall be in charge of a deputy commissioner, subject to supervision of the state corporation commissioner and subject to such rules and regulations as the commissioner may from time to time adopt and promulgate for the operation and management of his department.

§ 13. Department of Labor—There is hereby created a state department of labor. The director of the department shall be the commissioner of labor, who shall be appointed by the governor, subject to the confirmation of the general assembly, in joint session assembled, if in session when such appointment is made, and if not in session, then at its next succeeding session. He shall hold office for a term coincident with that of each governor making the appointment, or until his successor shall be appointed and qualified, but shall not be removed by the governor, except for cause. For his services the commissioner of labor shall be paid out of the state treasury the sum of five thousand dollars ($5,000.00) per annum and his necessary traveling expenses in the performance of his official duties, vouchers for which said expenses shall be approved by the governor. All the powers and all the duties imposed by law in relation to labor inspection and labor statistics, upon the commissioner of agriculture, labor and statistics, are hereby transferred to and vested in the commissioner of labor to be exercised or performed by him, and all existing provisions of law, not inconsistent with this act in relation to same are continued in force.

All existing provisions of law, not inconsistent with this act, in relation to the inspection of mines, and protection of mine property are continued in force, provided, however, that all the powers conferred and all duties imposed by law upon the department of mines and the chief inspector of mines are hereby transferred to and vested in the commissioner of labor to be exercised and performed by him. The department of mines and the office of chief inspector of mines are hereby abolished.

Section 13a. Subordinates—The commissioner of labor may, subject to the approval of the governor, appoint such deputy commissioners, assistants, agents, experts or other employees as may be necessary for the exercise of the powers herein transferred to and conferred upon his office, and the commissioner shall prescribe their duties and fix their compensation, including the duties and compensation of the secretary, all of which compensation shall not exceed in the aggregate the amount biennially appropriated by the general assembly for that purpose. The commissioner of labor may transfer officers or employees from their positions to other positions in the department, abolish or consolidate such positions. The commissioner of labor may remove from office any officer or employee in the department for neglect of duty, incompetence in the discharge of his duties, immorality, corrupt practices, or other causes affecting the performance or discharge of his duties, or to reduce the number employed, but no such officer or employee may be removed by the commissioner of labor for political party purposes, or by reason of the party affiliation of any such officer or employee. The commissioner shall have power to establish, consolidate or abolish divisions or bureaus within the department for the purpose of expediting the transaction of the various branches of business in the department, and for the purpose of making the same more efficient. Each division or bureau in the department shall be in charge of a deputy commissioner, subject to the supervision of the commissioner of labor, and

subject to such rules and regulations as the commissioner may from time to time adopt and promulgate for the operation and management of the department.

Section 13b. Workmen's Compensation Board — All existing provisions of law concerning workmen's compensation and the workmen's compensation board are continued in force, except that the members of the Workmen's Compensation Board shall hereafter be appointed by the commissioner of labor, subject to approval by the governor.

§ 14. Department of Agriculture—There is hereby created an administrative department of the state government which shall be known and designated as the department of agriculture. The rights, powers and duties of the department of agriculture are hereby vested in and shall be exercised, administered and discharged by a board of agriculture, which shall consist of the commissioner of agriculture, labor and statistics, who shall be ex-officio the chairman of the department, and of six additional members, who shall be appointed by the governor. The six members appointed by the governor shall be reputable citizens of high standing, having a common interest in agriculture, stock raising and other allied industries. In the first instance, two of the members of the board shall be appointed for a term of two years, two members for a term of three years, and two members for a term of four years. Thereafter, all appointments shall be made for terms of four years. In all cases appointments shall be made for the term as hereinbefore designated and until a successor shall have been appointed and shall have qualified. The governor shall fill all vacancies occurring in the membership of the board for the unexpired term. The governor may remove any member of the board at any time, after a hearing, for willful neglect of duty, misconduct or malfeasance in office. A regular meeting of the board shall be held at least once every two months at such time and place as shall be designated by the board, and special meetings may

be held at any time on call of the chairman or any three members of the board.

Section 14a. Chairman of the Department—The chairman of the department shall devote his entire time and attention to the duties of his office. Before entering upon the ruties of his office, the chairman shall take oath of office, and shall execute a bond to the Commonwealth, with adequate sureties, in the penal sum of twenty-five thousand dollars ($25,000.00), to be approved by the governor, and conditioned for the faithful discharge of the duties of his office. The chairman shall receive an annual salary of not less than thirty-five hundred dollars ($3,500.00). The board shall appoint such clerks, assistants, agents, inspectors, and stenographers as may be necessary to carry on the work of the department. All employees shall serve at the pleasure of the board. Each of the six appointive members of the board shall receive the sum of ten dollars ($10.00) per day or such other sum as may be stipulated in the appropriation act, while in attendance at the meetings of the board or in going thereto and returning therefrom, but no member, other than the chairman, shall be entitled to compensation for more than seventy-five days in any one year. In addition to his comsation, each employee of the board shall be entitled to his actual and necessary traveling and other expenses while engaged in discharging the business of the board.

Section 14b. Powers of Department of Agriculture—The department of agriculture shall possess the following powers and exercise and discharge the following rights and duties:

(1) To exercise all the rights, powers and duties now vested by law in the state board of agriculture, the state live stock sanitary board and their respective officers, agents and employees.

(2) To exercise all the rights, powers and duties now vested by law in the commissioner of agriculture, labor and statistics except those pertaining to manufacturers, labor and

commerce, which are by this act transferred to and vested in the department of labor, and those pertaining to forestry which are hereby transferred to the University of Kentucky.

Section 14c. State Horticultural Society—The Kentucky Horticultural Society shall act in an advisory capacity to the board of agriculture and the board of agriculture is hereby authorized and directed to perfect a practicable plan by virtue of which the board may avail itself of such advisory service as the horticultural society is willing and able to render.

Section 14d. Official Bonds—When any position or office to be filled by this act involves a fiduciary responsibility, the appointing officer shall, unless otherwise provided by law, require the appointee to execute good and sufficient bond or other surety for the faithful performance of his duty, to be approved by the governor and deposited with the division of records in the executive department.

When in any case official bonds are now required by law to be executed by any officer, commissioner, agent, members of any board or commission, assistants or other employees, whose office or position is, by this act, abolished, such official bonds shall be executed by the officer or employee to whom the powers and duties of any such officer, commissioner, agent, members of any board or commission, assistant or other employee, are by this act transferred or assigned, and the same shall be approved by the governor and deposited with the division of records in the executive department.

§ 15. Official Salaries of Persons Appointed Between Legislative Sessions—No money shall be paid by the state treasurer as salary to, or expense for, any person appointed while the general assembly was not in session, to fill a vacancy in any existing office, if the vacancy existed while the general assembly was in session and was, by law, required to be filled by and with the consent or approval of the general assembly or of the senate, until such appointee shall have been confirmed by the general assembly or by the senate, and, pro-

vided, further, that the name of any person appointed to fill a vacancy existing when the general assembly or senate is not in session shall be submitted by the governor at the next succeeding session of the general assembly or the senate for confirmation, otherwise no money shall be paid by the state treasurer to any such person for his salary or expenses subsequent to the session of the general assembly or senate next succeeding his appointment.

§ 16. Existing Contracts Not Affected By This Act—The provisions of this act shall not apply to contracts entered into and existing by and between any board, commissions, departments or other state agencies prior to the date this act becomes effective.

§ 17. Construction of This Act—It is hereby declared to be the purpose and intention of the general assembly in the enactment of this law to reorganize the administration of the executive department of the state government, and of other administrative departments properly coming within the jurisdiction of the executive department and to co-ordinate the various offices named herein upon a more efficient and economical basis and to consolidate various administrative offices in such a manner as to prevent duplication of work and expense, and to reduce the number of officials and employees, by means of the enactment of one entire and complete system of organization under the executive power of the governor. All laws or parts of laws, insofar as the same are inconsistent herewith, are hereby repealed, and if any section of this act shall be judicially declared to be unconstitutional, the remainder of this act shall not be affected thereby.

§ 18. This act shall take effect on the date of the inaugration of the governor elected at the regular election in the year one thousand nine hundred thirty-one.

Said Amendment as offered by the Committee is as follows, viz.:

Amend H. B. 41 by adding to Section 13 the following:

The Department of Labor, heretofore created under the Commissioner of Agriculture, Labor and Statistics, together with the offices of Chief Labor Inspector and Deputy Labor Inspector and Deputy Labor Inspectors, are hereby abolished.

(b) By adding thereto the following section:

Section 13-c

All powers and all duties imposed upon the State Board of Vocational Education under Chapter 66 of the Acts of the General Assembly of 1922, known as the Industrial Rehabilitation Act, or hereby transferred to and vested in the Commissioner of Labor, to be exercised or performed by him, and all existing provisions of said Act are hereby continued in force.

Said Amendment was agreed to.

Mr. Hargrove offered the following Amendment to said bill, viz.:

Amend H. B. 41 by adding the following words to Sec. 18 on page 25

"provided the proposed Constitutional Amendment in regard to the Governor appointing the Treasurer, Auditor, Commissioner of Agriculture, Secretary of State, Attorney General, and Superintendent of Public Instruction has been approved by the people at the general election."

Mr. Crabtree moved that said amendment be laid on the table.

Said motion was disagreed to.

Said Amendment was then agreed to.

Mr. Hargrove offered the following Amendment to said bill, viz.:

Amend H. B. 41 by striking out all of Sec. 5 on pages 7 and 8, also strike out all of line 6, page 4.

Said Amendment was agreed to.

Mr. Dorman moved the previous question.

Thereupon the Speaker announced "Shall the main question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Joseph B. Everhart	B. K. Marshall, Jr.
William B. Ardery	Virgil Eversole	Joseph Martin
T. L. Britton	Kelly J. Francis	Geo. R. McIntosh
J. Watt Brown	L. B. Hamilton	Henry Meiman
Bradley Combs	H. G. Handmaker	Clarence Miller
J. J. Davis	Rev. B. L. Hargrove	Russell O. Miller
W. C. Dugan	J. Roy Johnson	Caleb A. Page
Thomas Dunn	A. R. Kincheloe	J. D. Patton
J. W. Edwards	Fred V. Lucas	James I. Peters
William A. Eimer	H. R. Marquette	John H. Pickett

John W. Preston	Denny P. Smith	C. B. Truesdell
W. E. Randall	E. J. Thomas	H. Speed Tye
Dorsey Ratliff	Thomas H. Troxel	Robert Williams

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Those who voted in the negative were—

F. B. Adcock	E. C. Dennington	M. F. Moore
E. S. Allison	James R. Dorman	B. T. Morris
W. O. Baxter	S. J. Douthitt	F. Tyler Munford
S. A. Blackburn	C. B. Dowling	L. B. Murphy
D. C. Bradley	J. O. Evans	M. L. Napier
John Young Brown	John B. Furlong	H. L. Nickell
John R. Buckman	F. A. Gnau	Curtis F. Park
Dr. R. A. Byers	Robt. L. Horn	D. O. Stanley
James A. Campbell	C. E. Houk	Frank L. Strange
Lee Clark	Grover C. Johnson	H. L. Taylor
Elmer Cook	Theron M. Johnson	Elmer J. Terry
Leonard Cook	J. R. Johnston	Dr. Vallandingham
W. W. Cooper	M. F. Jordan	J. D. Via
Ben L. Cox	John B. Klefot	J. E. Walters
H. G. Crabtree	Frank LeBus	L. M. Weathers
G. Cunningham	Martin Light	G. W. Wigginton
William J. Curtis	James A. May	
Winn Davis	T. R. McRoberts	

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The following pair was announced:

Mr. Gilbert and Mr. Thompson.

Mr. Gilbert, if present and voting, would vote in the affirmative.

Mr. Thompson, if voting, would vote in the negative.

Mr. John Y. Brown moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had reconsidered and passed a bill, which originated in that body, entitled:

S. B. 188. An Act to require the Governor to give written notice to the Senate of the names of all appointments made by him where the law now requires, etc.

The objections and veto of the Governor to the contrary notwithstanding.

(For bill see House Journal of February 25)

The objections and veto of the Governor are as follows, viz.:

VETO MESSAGE

S. B. 188. The object sought to be accomplished by Senate Bill No. 188 is the same as the major portion of the legislation at this session—deprive the Governor of the power to make appointments and to fill vacancies. It is in fact a general ripper bill, intended to cover all omissions, if any, which the several other "rippers" may have inadvertently missed.

It attempts to transfer the executive power of a Republican Governor to a Democratic Lieutenant Governor. Never before in the history of Kentucky have we had a Governor of one political party and a Lieutenant Governor of another, and likely this will never happen again; yet, this act is passed as if general in nature and intended to cover other cases than the one with which we are now dealing and in which it is sought to strip the chief executive of power and give it to the Lieutenant. It is that kind of legislation which is extremely irritating, as is most temporary political expedients, and will make the people wonder whether the General Assembly is merely an organization for the advancement of the interest

of a political party or one of service to the general public. Such legislation as this should not be allowed to clutter the statutes of a State. It will be one of the first acts which the next General Assembly will repeal.

The Constitution definitely fixed the powers, duties and responsibilities of the three coordinate branches of the government, and the legislative may not invade the realm of either the executive or judicial. Here the attempt is to destroy the executive—make it subservient to the legislative. This is not consonant with good government and will lead to many excesses and abuses, if indulged. This bill offends every vital principle of our organic law.

Entertaining these views, I can not approve Senate Bill No. 188. It is, therefore returned to the Senate where it originated with the foregoing reasons as veto message.

FLEM D. SAMPSON,
Governor, Commonwealth of Kentucky.

March 7, 1930

Mr. John Y. Brown moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution, to reconsider said bill.

After such reconsideration, the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	T. R. McRoberts
E. S. Allison	J. W. Edwards	Henry Meiman
W. O. Baxter	J. O. Evans	M. F. Moore
S. A. Blackburn	Kelly J. Francis	B. T. Morris
D. C. Bradley	John B. Furlong	F. Tyler Munford
John Young Brown	F. A. Gnau	L. B. Murphy
John R. Buckman	L. B. Hamilton	M. L. Napier
James A. Campbell	Rev. B. L. Hargrove	H. L. Nickell
Lee Clark	Robt. L. Horn	James I. Peters
Elmer Cook	C. E. Houk	Denny P. Smith
W. W. Cooper	R. L. Jackson	D. O. Stanley
Ben L. Cox	Grover C. Johnson	Frank L. Strange
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	Dr. Vallandingham
Winn Davis	John B. Klefot	J. D. Via
E. C. Dennington	Frank LeBus	J. E. Walters
James R. Dorman	Martin Light	L. M. Weathers
S. J. Douthitt	James A. May	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	A. R. Kincheloe	John W. Preston
T. L. Britton	Fred V. Lucas	W. E. Randall
Dr. R. A. Byers	H. R. Marquette	Dorsey Ratliff
Bradley Combs	Joseph Martin	H. L. Taylor
J. J. Davis	Geo. R. McIntosh	E. J. Thomas
W. C. Dugan	Russell O. Miller	Thomas H. Troxel
Joseph B. Everhart	Caleb A. Page	C. B. Truesdell
Virgil Eversole	Curtis F. Park	Speed H. Tye
H. G. Handmaker	J. D. Patton	Robert Williams
J. Roy Johnson	John H. Pickett	

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Mr. John Y. Brown moved that the vote by which said bill was reconsidered and passed, the objections of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in this House, entitled:

H. B. 225. An Act to provide money for the maintenance and furnishing of a county hospital in counties having a city of the fifth or sixth class as its county seat.

With Amendments thereto.

(For bill see House Journal of March 4).

Said Amendments as adopted in the Senate are as follows, viz.:

Amend H. B. 225 by striking out of line 6 "and it is hereby made its duty."

Amend H. B. 225 by striking out of line 14 the words "it shall be the duty of" and insert in line 17 between the words "thereafter" and "contract" the word "may" and strike out the word "to" in line 17.

Said Amendments were concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were--

E. S. Allison	D. C. Bradley	Dr. R. A. Byers
U. G. Anderson	T. L. Britton	James A. Campbell
William B. Ardery	John Young Brown	Bradley Combs
W. O. Baxter	J. Watt Brown	Leonard Cook

W. W. Cooper	F. A. Gnau	Fred A. Nolte
Ben L. Cox	L. B. Hamilton	Caleb A. Page
William J. Curtis	H. G. Handmaker	J. D. Patton
Winn Davis	Rev. B. L. Hargrove	John W. Preston
E. C. Dennington	Grover C. Johnson	W. E. Randall
James R. Dorman	J. Roy Johnson	Dorsey Ratliff
S. J. Douthitt	J. R. Johnston	Denny P. Smith
C. B. Dowling	M. F. Jordan	Frank L. Strange
W. C. Dugan	A. R. Kincheloe	H. L. Taylor
Thomas Dunn	John B. Klefot	Elmer J. Terry
J. W. Edwards	Martin Light	J. A. Thompson
William A. Eimer	Joseph Martin	Thomas H. Troxel
J. O. Evans	James A. May	H. Speed Tye
Joseph B. Everhart	Geo. R. McIntosh	Dr. Vallandingham
Virgil Eversole	T. R. McRoberts	J. E. Walters
Kelly J. Francis	Harry J. Meyers	L. M. Weathers
John B. Furlong	M. F. Moore	—62

Mr. J. Y. Brown moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 638. An Act to repeal, amend, and re-enact Section 2554a-16, Kentucky Statute Service, 1928 Edition, relating to fees of arresting officers in liquor prosecutions.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2554a-16, Kentucky Statute Service, 1928 Edition, be repealed, amended, and re-enacted so that when

said section is so amended and re-enacted it shall read as follows:

Any peace officer making an arrest of any person for any violation of this act shall, upon final conviction of defendant, receive a fee of five dollars to be taxed as costs and paid as other costs for such service.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	S. J. Douthitt	M. F. Jordan
U. G. Anderson	C. B. Dowling	A. R. Kincheloe
W. O. Baxter	W. C. Dugan	John B. Klefot
S. A. Blackburn	Thomas Dunn	Martin Light
D. C. Bradley	J. W. Edwards	Fred V. Lucas
T. L. Britton	William A. Eimer	Joseph Martin
John Young Brown	J. O. Evans	Geo. R. McIntosh
John R. Buckman	Joseph B. Everhart	Henry Meiman
Dr. R. A. Byers	Kelly J. Francis	Harry J. Meyers
James A. Campbell	John B. Furlong	Russell O. Miller
Bradley Combs	F. A. Gnau	M. F. Moore
Leonard Cook	L. B. Hamilton	B. T. Morris
W. W. Cooper	H. G. Handmaker	M. L. Napier
Ben L. Cox	Rex B. L. Hargrove	H. L. Nickell
H. G. Crabtree	Robt. L. Horn	Fred A. Nolte
G. Cunningham	R. L. Jackson	Caleb A. Page
J. J. Davis	Grover C. Johnson	J. D. Patton
Winn Davis	J. Roy Johnson	James I. Peters
James R. Dorman	J. R. Johnston	John H. Pickett

John W. Preston	Frank L. Strange	H. Speed Tye
W. E. Randall	H. L. Taylor	Dr. Vallandingham
Dorsey Ratliff	J. A. Thompson	J. E. Walters
Denny P. Smith	Thomas H. Troxel	L. M. Weathers
D. O. Stanley	C. B. Truesdell	—71

Resolved that the title thereof be as aforesaid.

Mr. John Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 387. An Act to amend section 1216 Kentucky Statutes and re-enact same as amended.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1216 of Carroll's Edition of Kentucky Statutes be amended and to read after re-enacted, as follows:

"Whoever being married, the first husband, or wife, as the case may be, being alive shall marry any person, shall be confined in the penitentiary not less than three years, nor more than nine years, unless said person had reasonable grounds to believe, and did believe, said first husband, or wife, was dead at the time of said last marriage. Persons whose husband, or wife, shall have absented themselves, and continually remain beyond the seas, or in any State of the United States, not having been heard of for the period of five years preceding the last marriage, the one not knowing the other to

be alive, or whose former marriage hath been or hereafter may be declared void, and persons whose former marriage was had, or made, within the age of consent are not embraced in this section."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	W. C. Dugan	M. L. Napier
U. G. Anderson	Thomas Dunn	H. L. Nickell
W. O. Baxter	William A. Eimer	Fred A. Nolte
D. C. Bradley	Virgil Eversole	Curtis F. Park
J. Watt Brown	Kelly J. Francis	J. D. Patton
John R. Buckman	John B. Furlong	John W. Preston
Lee Clark	L. B. Hamilton	W. E. Randall
Leonard Cook	Robt. L. Horn	Frank L. Strange
W. W. Cooper	C. E. Houk	H. L. Taylor
Ben L. Cox	J. R. Johnston	J. D. Via
H. G. Crabtree	Frank LeBus	J. E. Walters
William J. Curtis	Martin Light	G. W. Wigginton
Winn Davis	Henry Meiman	Robert Williams
James R. Dorman	Harry J. Meyers	
C. B. Dowling	M. F. Moore	—43

Those who voted in the negative were—

T. L. Britton	G. Cunningham	F. A. Gnau
John Young Brown	E. C. Dennington	H. G. Handmaker
James A. Campbell	S. J. Douthitt	Rev. B. L. Hargrove
Bradley Combs	Joseph B. Everhart	Grover C. Johnson

Theron M. Johnson	Geo. R. McIntosh	J. A. Thompson
M. F. Jordan	T. R. McRoberts	Thomas H. Troxel
A. R. Kincheloe	Russell O. Miller	H. Speed Tye
B. K. Marshall, Jr.	D. O. Stanley	L. M. Weathers
James A. May	E. J. Thomas	—26

Resolved that the title thereof be as aforesaid.

Mr. John Y. Brown moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 37.

Be it resolved by the General Assembly of the State of Kentucky:

That there is hereby created a committee to be known as the Kentucky Legislative Committee on Taxation, which shall be composed of seven members, three of whom shall be appointed by the president of the Senate and four of which shall be appointed by the Speaker of the House of Representatives, all of whom shall serve without compensation. Said committee shall meet within ten days after the adjournment of the present session of the General Assembly and organize by electing one of its members chairman and one secretary.

The duties of said committee shall be to investigate the taxation methods of this and other states and to prepare such new law or laws on revenue and taxation in conformity with the Constitution of this Commonwealth, as they shall deem advisable. Said committee may hold open sessions in different parts of the State, if deemed necessary, and grant to the taxpayers such hearings as may be demanded.

Said committee shall have and is given authority to examine the records of all state, county, city and town officials for the purpose of securing information respecting the revenue and expenses of such taxing authorities and may require county, city and town assessors to supply information concerning the assessment of property and levying of taxes in their respective localities; also rates, dates and such other information affecting taxation, as may be necessary in framing new revenue and taxation law or laws.

The necessary expenses of said committee, or its members, in actual performance of their duties as herein provided for shall be paid by the Commonwealth on the filing of sworn statements of same with the Governor who is authorized to order their payment by the State Auditor when approved by the Governor.

Said Committee shall make a written or printed report of its work, as well as new law or laws on revenue and taxation, and with comprehensive reasons for changes from the present law and the probable income based on facts and figures to be clearly set forth in its report. If the committee shall determine that an Extraordinary Session of the Legislature should be called by the Governor it shall so recommend in its report.

The Governor shall decide as to the time the new law or laws shall be submitted to the General Assembly, whether at a special assembly to be called for the consideration of this measure or at its next ensuing regular session.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R. Dorman	A. R. Kincheloe
E. S. Allison	S. J. Douthitt	John B. Klefot
U. G. Anderson	C. B. Dowling	Martin Light
W. O. Baxter	W. C. Dugan	Joseph Martin
S. A. Blackburn	Thomas Dunn	James A. May
D. C. Bradley	J. W. Edwards	Geo. R. McIntosh
T. L. Britton	William A. Eimer	T. R. McRoberts
John Young Brown	J. O. Evans	Henry Meiman
John R. Buckman	Joseph B. Everhart	M. F. Moore
Dr. R. A. Byers	Virgil Eversole	B. T. Morris
James A. Campbell	John B. Furlong	M. L. Napier
Bradley Combs	F. A. Gnau	H. L. Nickell
Leonard Cook	L. B. Hamilton	James I. Peters
W. W. Cooper	H. G. Handmaker	W. E. Randall
Ben L. Cox	Rev. B. L. Hargrove	Dorsey Ratliff
H. G. Crabtree	Robt. L. Horn	Frank L. Strange
G. Cunningham	C. E. Houk	H. Speed Tye
William J. Curtis	Grover C. Johnson	J. E. Walters
J. J. Davis	Theron M. Johnson	L. M. Weathers
Winn Davis	J. R. Johnston	G. W. Wigginton
E. C. Dennington	M. F. Jordan	—62

Resolved that the title thereof be as aforesaid.

Mr. J. Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 413. An Act to Enable the County Court to Order the Transfer of Corporate Stock by a Personal Representative in the Distribution of the Estate.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in order to effect the distribution of a deceased person's estate either under a will or in case of intestacy the county court shall have power at any time after the representative has qualified to authorize him to transfer shares of corporate stock which the decedent owned at his death or which was acquired thereafter by the estate, such transfers to be made to the persons entitled under the will or as distributees in case of intestacy. A corporation which transfers stock pursuant to such order shall not be liable for so doing. To obtain such order the personal representative shall file a verified petition stating facts to show that it is proper to grant the order and the court may require such further evidence as it sees fit.

Mr. Everhart offered the following amendment to said bill, viz.:

Amend H. B. 413 by adding between the words "qualified" and "to" in Section 1, line 3, the following:

"and on it being shown that provision has been made for the inheritance tax of the Commonwealth of Kentucky and for the Federal estate tax."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Martin Light
U. G. Anderson	S. J. Douthitt	Joseph Martin
W. O. Baxter	W. C. Dugan	James A. May
S. A. Blackburn	Thomas Dunn	Geo. R. McIntosh
D. C. Bradley	J. W. Edwards	T. R. McRoberts
John Young Brown	William A. Eimer	M. F. Moore
John R. Buckman	J. O. Evans	H. L. Nickell
James A. Campbell	Joseph B. Everhart	J. D. Patton
Lee Clark	Kelly J. Francis	James I. Peters
Bradley Combs	John B. Furlong	W. E. Randall
Elmer Cook	L. B. Hamilton	Dorsey Ratliff
Leonard Cook	H. G. Handmaker	E. J. Thomas
W. W. Cooper	Rev. B. L. Hargrove	J. A. Thompson
Ben L. Cox	C. E. Houk	Thomas H. Troxel
H. G. Crabtree	Theron M. Johnson	H. Speed Tye
William J. Curtis	J. R. Johnston	L. M. Weathers
Winn Davis	M. F. Jordan	G. W. Wigginton
James R. Dorman	A. R. Kincheloe	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. J. Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 743. An Act relating to the building and main-

taining of roads by the State Highway Commission leading to permanent landing fields operated by municipalities, counties, or State.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Highway Commission is hereby authorized and empowered to construct and maintain roads leading to permanent landing fields operated by municipalities, counties or State to connect with state roads constructed and maintained by said Highway Commission now built and maintained or which may hereafter be built.

§ 2. Said roads leading to said air ports or landing fields shall not exceed one mile in length from main roads maintained by said State Highway Commission.

§ 3. Said road to be of type and construction to be determined by said State Highway Commission, the width of surfacing to be not less than eighteen (18) feet.

§ 4. Said Highway Commission is to build said roads when and upon the certification of the Air Board of Kentucky.

§ 5. The State Highway Commission is to be governed in constructing these roads by the statutes controlling other State Primary Road Projects.

§ 6. The State or County shall have the same right to obtain land for right of way purposes as in other primary roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
E. S. Allison
W. O. Baxter
S. A. Blackburn
D. C. Bradley
John Young Brown
John R. Buckman
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
Thomas Dunn
J. W. Edwards
William A. Eimer
J. O. Evans
Joseph B. Everhart
Kelly J. Francis
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
C. E. Houk
Grover C. Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
Frank LeBus
Martin Light
Joseph Martin
James A. May
Geo. R. McIntosh
Henry Meiman
M. F. Moore
B. T. Morris
H. L. Nickell
J. D. Patton
W. E. Randall
Dorsey Ratliff
Frank L. Strange
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
H. Speed Tye
L. M. Weathers
G. W. Wigginton
Robert Williams
—59

Resolved that the title thereof be as aforesaid.

Mr. John Y. Brown of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Napier of the Committee on Rules, reported that they had examined and found to be correctly enrolled, bills of the following titles, viz:

H. B. 304. An Act to regulate the selling, offering or exposing for sale of Agricultural seeds; to provide for the inspection of same and prescribing duties of the commissioner of agriculture.

H. B. 448. An Act requiring all owners of motor vehicles operating for hire for the transportation of persons over any of the highways or streets of any of the municipalities of this Commonwealth, etc.

H. B. 74. An Act amending subsec. 1 of Section 492 of Kentucky Civil Code of Practice to authorize sales of property held for twenty years, etc.

S. B. 59. An Act for the taking of the sense of the people of the State as to the necessity and expediency of calling a convention.

S. B. 371. An Act to authorize cities of the second class to enter into contracts with persons, firms and corporations for the ownership and operation thereby of bridges.

S. B. 201. An Act to regulate the buying, or receiving, selling or disposing of used or second-hand articles, etc.

S. B. 149. An Act regulating the introduction of evidence in prosecutions for carnally knowing a female between the ages of 16 and 18 years.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver the bills which originated in this House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said House bills, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

At the instance of the Committee on Rules, the following resolution was introduced, viz.:

By Mr. Hamilton:

H. Res. 52. Resolution for the benefit of George Kaltenbrun, Electrician of State Capitol.

Which was ordered printed and referred to Committee on Rules.

Mr. John Y. Brown of Rules Committee moved that the House do now adjourn.

Said motion was agreed to.
And then the House adjourned.

FRIDAY, MARCH 14, 1930.

The House was opened with prayer by the Reverend J. A. McCammon of the Church of the Nazerene of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock	William A. Eimer	Clarence Miller
E. S. Allison	Garland Embry	Russell O. Miller
U. G. Anderson	J. O. Evans	M. F. Moore
William B. Ardery	Joseph B. Everhart	B. T. Morris
W. O. Baxter	Virgil Eversole	F. Tyler Munford
S. A. Blackburn	Kelly J. Francis	L. B. Murphy
D. C. Bradley	John B. Furlong	M. L. Napier
T. L. Britton	F. A. Gnau	H. L. Nickell
John Young Brown	L. B. Hamilton	Fred A. Nolte
J. Watt Brown	H. G. Handmaker	Caleb A. Page
John R. Buckman	Rev. B. L. Hargrove	Curtis F. Park
Dr. R. A. Byers	J. F. Harrison	J. D. Patton
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	John W. Preston
Elmer Cook	Grover C. Johnson	W. E. Randall
Leonard Cook	J. Roy Johnson	Dorsey Ratliff
W. W. Cooper	Theron M. Johnson	Denny P. Smith
Ben L. Cox	J. R. Johnston	D. O. Stanley
H. G. Crabtree	M. F. Jordan	Frank L. Strange
G. Cunningham	A. R. Kincheloe	Elmer J. Terry
William J. Curtis	John B. Klefot	E. J. Thomas
J. J. Davis	Frank LeBus	J. A Thompson
Winn Davis	Martin Light	Thomas H. Troxel
E. C. Dennington	Fred V. Lucas	C. B. Truesdell
James R. Dorman	H. R. Marquette	H. Speed Tye
S. J. Douthitt	B. K. Marshall, Jr.	J. D. Via
C. B. Dowling	Joseph Martin	J. E. Walters
W. C. Dugan	James A. May	L. M. Weathers
Thomas Dunn	Henry Meiman	G. W. Wigginton
J. W. Edwards	Harry J. Meyers	Robert Williams

Mr. Dorman of Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of Rules Committee moved that when the Hour of twelve o'clock Meridian arrives, today that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

At the instance of the Committee on Rules, the following resolution was introduced, ordered printed and referred as follows, viz.:

By Mr. Marshall:

H. Res. 53. Joint resolution of the General Assembly of Kentucky.

To Committee on Rules.

Ordered that H. B. 614 be recommitted to Committee on Rules.

On motion of Mr. Baxter, Mr. Vallandingham was granted leave of absence.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 46. Resolution providing for furnishing Kentucky Directories.

Said resolution is as follows, viz.:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Librarian is hereby authorized and directed to purchase at not exceeding one dollar and fifty cents per copy, five hundred and fifty copies of the book entitled "Kentucky Directory 1930" for the use of the courts, State and county officers and members of the General Assembly. The Librarian will furnish the members of the General Assembly and such officers as may be designated by the presiding officers of the respective Houses a copy of same and will furnish the state officials with copies thereof and will send a copy thereof to the Clerk of the County Court of each County of the State, to be kept in his office. The Librarian will furnish to the Librarian of each state and territory of the union a copy of said book in exchange for similar books from the said states and territories, and a copy to the Librarian of Congress, and deliver to the Secretary of State fifty copies for exchange.

§ 2. It being necessary that the officers should have the books herein provided for, an emergency is declared and this resolution shall take effect upon its adoption and approval by the Governor.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	U. G. Anderson	D. C. Bradley
E. S. Allison	W. O. Baxter	T. L. Britton

John Young Brown	Virgil Eversole	B. T. Morris
J. Watt Brown	Kelly J. Francis	M. L. Napier
John R. Buckman	John B. Furlong	Fred A. Nolte
James A. Campbell	F. A. Gnau	Caleb A. Page
Lee Clark	L. B. Hamilton	J. D. Patton
Bradley Combs	Rev. B. L. Hargrove	James I. Peters
Elmer Cook	J. F. Harrison	John H. Pickett
Leonard Cook	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Dorsey Ratliff
Ben L. Cox	J. Roy Johnson	Denny P. Smith
H. G. Crabtree	Theron M. Johnson	D. O. Stanley
William J. Curtis	J. R. Johnston	Frank L. Strange
J. J. Davis	M. F. Jordan	Elmer J. Terry
E. C. Dennington	A. R. Kincheloe	E. J. Thomas
James R. Dorman	John B. Klefot	J. A. Thompson
S. J. Douthitt	Frank LeBus	Thomas H. Troxel
C. B. Dowling	Martin Light	C. B. Truesdell
W. C. Dugan	H. R. Marquette	J. D. Via
J. W. Edwards	B. K. Marshall, Jr.	J. E. Walters
William A. Eimer	James A. May	L. M. Weathers
Garland Embry	Geo. R. McIntosh	G. W. Wigginton
J. O. Evans	T. R. McRoberts	Robert Williams
Joseph B. Everhart	M. F. Moore	—74

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 333. An Act to repeal and re-enact section 4356t-12, of Carroll's Kentucky Statutes, 1922 Edition, entitled, "Purchase or Condemnation of Quarry, Gravel Pit, etc., used by contractor."

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 4356t-12, of Carroll's Kentucky Statutes, 1922 Edition, entitled "Purchase or condemnation of quarry, gravel pit, etc., used by contractor," be and the same is hereby repealed and re-enacted so as to read as follows: "The state road engineer may, with the approval of the state highway commission, purchase of the owner any gravel bed or pit, stone quarry, or any other quarry or mine containing any mineral, material or other substance suitable for road building or for the surfacing of roads within the state, gravel, stone, mineral, material or other substance suitable for the purpose of building, repairing or otherwise improving the roads to be built by the state, at a price per cubic yard or per ton to be approved by the state highway commission. If the state road engineer cannot agree with any such owner for the purchase of such gravel, stone or other road building or repairing material, he may, with the approval of the said state highway commission, acquire by condemnation the right to take or use such gravel, stone or other road building material and to remove same from such bed, quarry or mine for the purpose of building, repairing or otherwise improving such roads, together with the rights of way to and from such bed, pit, quarry or mine. The purchase price of such stone, gravel or other road building material and the damage in such condemnation proceedings, together with the costs and expenses thereof, shall be a charge against the state road fund and paid out of the monies collected therefor as provided by law. If the state shall abandon for five years any right acquired in this section to take or use the gravel, stone or other road building material from any such bed, pit, quarry or mine, or should the state road engineer cease to use the same for the purpose for which it was acquired, the right thereto shall cease and the ownership shall revert to and

become invested in the owner of such bed, pit, stone quarry or other quarry or mine containing any mineral, material or substance suitable for road building or road repairing, his heirs and assigns, except when the state highway commission has acquired the fee to the lands by purchase, in which case the title shall remain in the state highway commission. The state highway commission may, upon proper terms permit any contractor who shall be given a contract, under the terms of this act, to build or repair any road designated by the State highway commission to take gravel, stone, mineral, material or other substance suitable for road building or road repairing from any such gravel pit, stone quarry, or mine, that may be acquired by it under the terms of this act and it may when it deems necessary for the proper building or repairing of any road designated under this Act, or may hereafter be designated, first procured by purchase or condemnation proceedings as above provided, any gravel pit, stone quarry, or other quarry or mine containing any gravel, stone, mineral, material or other substance suitable for building, repairing or otherwise improving the roads to be built by the state, before advertising for bids to build or repair such roads, and may state in said advertisement or otherwise the terms upon which the contractor whose bid might be accepted, may use such gravel pit, stone quarry, other quarry or mine and take the material therefrom, and the State highway commission may work any such gravel pit, stone quarry or other quarry or mine, containing any gravel, stone, mineral material or substance suitable for building, repairing or otherwise improving the roads to be built by the state by prisoners assigned for work under Section 3828a-1, Article 3, Chapter 95 of Carroll's Kentucky Statutes, 1922 Edition, and other sections pertaining to the working of state prisoners now embodied in the laws of the State of Kentucky or may hereafter be passed by the General Assembly of the Commonwealth of Kentucky. All condemnation proceedings hereunder shall be in the manner provided by law for the condemnation of land for railroads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	Henry Meiman
U. G. Anderson	J. O. Evans	M. F. Moore
William B. Ardery	Joseph B. Everhart	B. T. Morris
W. O. Baxter	F. A. Gnau	L. B. Murphy
S. A. Blackburn	L. B. Hamilton	H. L. Nickell
D. C. Bradley	H. G. Handmaker	Curtis F. Park
John R. Buckman	Rev. B. L. Hargrove	J. D. Patton
James A. Campbell	J. F. Harrison	W. E. Randall
Lee Clark	R. L. Jackson	Dorsey Ratliff
Bradley Combs	J. Roy Johnson	Denny P. Smith
W. W. Cooper	Theron M. Johnson	D. O. Stanley
Ben L. Cox	J. R. Johnston	E. J. Thomas
H. G. Crabtree	M. F. Jordan	Thomas H. Troxel
William J. Curtis	A. R. Kincheloe	H. Speed Tye
Winn Davis	John B. Klefot	J. E. Walters
James R. Dorman	Frank LeBus	L. M. Weathers
C. B. Dowling	Martin Light	G. W. Wigginton
W. C. Dugan	B. K. Marshall, Jr.	
J. W. Edwards	Geo. R. McIntosh	—55

Those who voted in the negative were—

J. Watt Brown	S. J. Douthitt	Russell O. Miller
Dr. R. A. Byers	Garland Embry	M. L. Napier
Elmer Cook	John B. Furlong	Robert Williams
E. C. Dennington	T. R. McRoberts	—11

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred to Committee on Rules, viz.:

By Mr. T. M. Johnson:

H. B. 776. An Act relating to primary system of roads and highways.

H. B. 777. An Act relating to primary system of roads and highways.

The following message was received from the Governor of the Commonwealth, read and ordered spread upon the Journal of the House, viz.:

SPECIAL MESSAGE

MARCH 14, 1930.

To the General Assembly of the Commonwealth of Kentucky:

On two former occasions during this session I have urgently recommended the increase of teachers' pay through an Equalization Fund to be created by the General Assembly, but at the same time I urged with equal emphasis the passage of a revenue measure that would provide funds from which the teachers' pay may be raised and equalized and the school term extended to nine months per year.

House Bill No. 14 now on my desk, provides for an appropriation of $1,250,000, annually, from the general fund for the increase and equalization of teachers' salaries, fixing the minimum at $75.00 per month, for each teacher with as many as forty (40) pupils, but this bill does not provide for raising revenue in any way whatsoever with which to supply the annual equalization fund of $1,250,000.00. From where, then, is this $1,250,000.00 to come? Can it be paid out of thin air?

Allow me for the third time to urge the General Assembly to pass, at this session, one or more of the several revenue measures now pending or proposed which will provide sufficient revenue with which to meet the requirements of House Bill 14, and make possible the teachers equalization fund, guaranteeing to our splendid teachers a minimum salary of $75.00 per month. If the General Assembly fails to provide revenue for this purpose and House Bill No. 14 should become operative, one of two things will happen:

(a) This Bill will be declared unenforceable because of want of funds as was done in the case of the free textbook law last year; or,

(b) The State will be plunged in debt an additional $1,250,000.00 each year without any sinking fund to take care of it.

Under the Constitution you have no power—no moral right—to contract a State indebtedness of this size without revenue to take care of it and, as business men and representatives of the people, you should not enact such a law as House Bill No. 14, raising teachers' pay, without levying a tax to raise the money with which to carry out its terms. This has not been done. It is bad business. The State cannot afford to go further in debt for any purpose. Such legislation is the responsibility of the General Assembly.

The teachers are entitled to better pay, and, the emergency for longer school terms for pupil children in the poorer districts is so pronounced, that it would seem to be an im-

perative necessity to provide funds to carry out the spirit of the bill which attempts to give equalization of educational opportunities to all our children throughout the State.

TAXES ON FARM LANDS

It has just come to my attention that both Houses of the General Assembly have voted favorably upon a bill which reduces the taxes upon lands, including real estate owned by railroads, from thirty cents to twenty cents on the hundred dollars of valuation. This is a reduction of 33-1/3% and will amount to approximately $1,300,000.00 loss to the State. We will have that much less money with which to run the State government. Of this sum sixty-nine (69%) percent, or approximately a million dollars will be taken from the funds of our free public schools and the balance of the $1,300,000.00 will be taken from the highways, Normal Schools, Kentucky University and Mammoth Cave. Every school teacher will suffer a reduction of at least one dollar ($1.00) in per capita pay each year as a result of this measure. None of this can we well afford to do.

For one, I favor and will be glad to approve a bill removing all State taxes from farm lands if it can be done under the Constitution; if not, to reduce land taxes to the minimum and raise the necessary revenue for the State government from excise taxes, sales tax, income tax, luxury taxes or the like. But if the General Assembly is to reduce the taxes upon lands $1,300,000.00, each year, with the State Government already in debt some five or six million dollars beyond the Constitutional limit, what of the future? The question arises as to the soundness and fairness of such a policy. Can we honorably refuse to pay our debts? If the General Assembly had taken care of this loss in State funds by passing a revenue measure, or measures, which would have produced an equal amount of revenue for the State from other sources, its action would have appeared to be in accordance with good business principles, but to strike off $1,300,000.00

of a now inadequate income without providing other sources of income for the State is worse than bad business—it is a foolhardy challenge of the inevitable.

The sum and substance of all the ill-advised legislation of this session will bring a deficit in the general fund of at least $2,000,000.00 over the biennial period, and a depletion of the school fund of more than $2,500,000.00 to say nothing of $2,500,000.00 for an equalization fund for the schools for which there is no provision of funds.

There is yet time for the General Assembly at this session to pass such revenue measures as will be sufficient to take care of the deficit which will result from the decrease in taxes upon lands, and, from the raise of the pay of school teachers through the equalization measure as provided in House Bill 14, and this responsibility rests squarely upon the General Assembly. No other branch of the government can provide for the payment of these things or for the funding of the floating debt of the State, the support of its Charitable and Penal institutions, its public schools, its four State Colleges and University of Kentucky and other institutions, departments and activities, save and except the General Assembly. The State looks to the General Assembly for relief and if it is not forthcoming the people will be disappointed and your work will not have been what it should and could be.

At the convening of this session, early in January, the Lieutenant Governor who presides over the Senate, and the Speaker of the House of Representatives, and other leaders of the Democratic party in the Assembly, publicly announced the purpose to take charge of and control all legislation and put through such measures only as the Democratic majority thought wise or expedient, assuming all responsibility and agreeing to answer to the people of the State for the conduct of the General Assembly, forcing out of the picture the entire Republican delegation in both Houses. This policy, so far as it relates to the control of legislation, has been fully carried out and the responsibility will follow just as predicted

by these leaders of the Democratic party a few weeks ago. There is no escape from it. The only question is, after the passage of all the "rippers," the striking down of the revenues and income of the State, the increasing of State obligations, augmenting the budget, contracting of new debts, and the creation of new expenditures, will the State be able to carry on its various departments and institutions, pay its current expenses, and treat its creditors honorably? I fear it will not.

The responsibility, I repeat, rests upon the General Assembly, especially upon the large Democratic majority in this Assembly. The Republicans have been forced to be and are mere bystanders with no power to control legislation. I warn you now whatever deficit results to the State from all this unwise legislation will be wholly and entirely the child of the reckless, heedless, thoughtless majority which has completely dominated this entire session of the General Assembly.

The heralded boast of the leaders of the majority party in the Assembly made at the beginning of this session that public expenses would be cut down, the budget reduced, and a sinking fund created to wipe out the public debt, has faded away. The State debt has been increased substantially and State funds depleted by you—deficit increased, revenues decreased—instead of paying as to make it grow and become more burdensome from year to year. Your financial plan for relief of the State does not rest upon sound basis. You have reduced the income of the State and contracted to increase its debts and obligations, its current expenses—its cost of operation. If and when the State debt has piled up, do you expect to escape responsibility by pointing to the fact that a Republican Governor occupies the Executive office? Will you not be reminded of the fact that you took away money from the State treasury and at the same time contracted new increasing obligaions? Will not the people also say that the Governor could not and did not contract the debts of the State; that he was surrounded by a cabinet made up of seven

(7) Democrats, and each one had his or her responsibility, but most of all the responsibility rested upon the Democratic party in control of the 1930 General Assembly?

The budget as it now stands is larger than it was two years ago and larger than recommended by the Budget Commission, and you made it so. Aside from this, you have not taken into consideration the fact that the cost of the General Assembly to the State will be about $175,000.00, nor have you considered in your budget the interest charges upon State Warrants and other State obligations which amount annually to almost $345,000.00. No arrangements have been made to pay these large sums. Examination of the budget bill clearly indicates that your budget will not balance; that the State's expenditures will be greater than its income. Such a course is poor business—deplorable financing. Unless remedied at once the State will become hopelessly involved in debt.

I hope you will pardon my anxiety and persistent effort to impress upon the General Assembly the great importance of all the foregoing recommendations and of enacting into law the entire program outlined in my original message and in a Special Message of date March 3, 1930, and especially do I emphasize the need of raising revenue for

(1) Free textbooks for our children in the free public schools;
(2) Additional revenue for new and improved highways and bridges;
(3) Liquidation of our floating indebtedness; and
(4) Reorganization and rehabilitation of our Charitable and Penal institutions.

Allow me to assure you it will be a pleasure to co-operate with you, if I can, in bringing about the consummation of all or any material part of the program suggested.

Respectfully,

FLEM D. SAMPSON, *Governor*
Commonwealth of Kentucky.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 42. An Act to amend and re-enact Sections 91 and 93 of the Constitution of the Commonwealth of Kentucky, in relation to the offices of the treasurer, etc.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon the concurrence of three-fifths (3-5) of all the members elected to each House of the General Assembly, the yeas and nays being taken thereon and entered in full in their respective journals, Sections 91 and 93 of the Constitution of the Commonwealth of Kentucky be amended and re-enacted so that when so amended and re-enacted said section shall read as follows:

Section 91. Treasurer, Auditor, Commissioner of Agriculture, Secretary of State, Attorney General, Superintendent of Public Instruction, a treasurer, auditor of public accounts, commissioner of agriculture, secretary of state, attorney general and superintendent of public instruction shall be appointed by the Governor of the Commonwealth for a term of office coincident with that of Governor making the appointment, each of which said officers shall be at least thirty (30) years of age at the time of his appointment, and shall have been a resident citizen of the state at least two (2) years next before his appointment. The duties of all of these officers shall be such as may be prescribed by law and the secretary of state shall keep a fair register of and attest all official acts of the government and shall, when required, lay the same and all papers, minutes and vouchers relative thereto before each House of the General Assembly. The officers named in this section shall enter upon the discharge of their duties the first Monday in January after their appointment and shall hold

their office until their successors are appointed and qualified.

Section 93. Officers, Duties, Inferior Officers—The duties and responsibilities of the officers mentioned in Section 91 shall be prescribed by law, and all fees collected by any of said officers shall be covered into the treasury. Inferior state officers not specificially provided for in this constitution may be appointed or elected in such manner as may be prescribed by law, for a term not exceeding four (4) years, and until their successors are appointed or elected and qualified.

§ 2. That this amendment shall be submitted to the voters of the state for their ratification or rejection at the time and in the manner provided for under Section 256 of the constitution and under Section 1459 of the Kentucky Statutes, Carroll's Edition.

Mr. Dorman moved the Previous Question.

Thereupon the Speaker announced "Shall the main question be now put?

Which was decided in the affirmative.

Mr. Terry moved that said bill be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Terry and Bradley, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John R. Buckman	H. G. Crabtree
E. S. Allison	James A. Campbell	William J. Curtis
W. O. Baxter	Elmer Cook	E. C. Dennington
S. A. Blackburn	Leonard Cook	James R. Dorman
D. C. Bradley	W. W. Cooper	S. J. Douthitt
John Young Brown	Ben L. Cox	C. B. Dowling

John B. Furlong	Frank LeBus	Frank L. Strange
F. A. Gnau	James A. May	Elmer J. Terry
Robt. L. Horn	T. R. McRoberts	J. A. Thompson
C. E. Houk	B. T. Morris	J. D. Via
Grover C. Johnson	F. Tyler Munford	J. E. Walters
Theron M. Johnson	L. B. Murphy	L. M. Weathers
J. R. Johnston	M. L. Napier	G. W. Wigginton
M. F. Jordan	H. L. Nickell	
John B. Klefot	D. O. Stanley	—43

Those who voted in the negative were—

U. G. Anderson	Kelly J. Francis	Caleb A. Page
William B. Ardery	L. B. Hamilton	Curtis F. Park
T. L. Britton	H. G. Handmaker	J. D. Patton
J. Watt Brown	Rev. B. L. Hargrove	James I. Peters
Dr. R. A. Byers	J. Roy Johnson	John W. Preston
Bradley Combs	A. R. Kincheloe	W. E. Randall
J. J. Davis	Martin Light	Dorsey Ratliff
W. C. Dugan	Fred V. Lucas	Denny P. Smith
Thomas Dunn	H. R. Marquette	H. L. Taylor
J. W. Edwards	Joseph Martin	E. J. Thomas
William A. Eimer	Geo. R McIntosh	Thomas H. Troxel
Garland Embry	Henry Meiman	H. Speed Tye
J. O. Evans	Russell O. Miller	Robert Williams
Joseph B. Everhart	M. F. Moore	
Virgil Eversole	Fred A. Nolte	—43

CLERK'S NOTE—*H. B. 42 was announced as tabled by error of clerk in totaling the vote, viz.: yea 44, Nay 43. The error was detected by clerk after adjournment for the day, and reconsideration of said bill was resumed by the House at the next day's session. See Journal, March 17, for further action.*

A message was received from the Senate, announcing that they had passed bills and resolution which originated in that body, entitled:

S. B. 341. An Act to amend an Act entitled "An Act relating to the drainage and the prevention of overflow of lands, towns, cities," etc.

S. B. 327. An Act to amend and re-enact Sections 2739j-22, 2739j-27 and 2739j-32 of the Kentucky Statutes, relating to the supervision and regulation of transportation of persons for compensation over public highways.

S. B. 292. An Act to repeal, amend and re-enact Chapter 92 of the Acts of the General Assembly at regular session in 1926 entitled "An Act to establish a State trade and training school for negroes in this section of Kentucky."

S. B. 248. An Act to repeal and re-enact Section 281 of the Criminal Code of Practice.

S. B. 228. An Act to amend and re-enact Sec. 331e-1 Kentucky Statutes, relating to dependent, neglected and delinquent children and known as the Juvenile Court Act.

S. Res. 39. Joint resoution of the General Assembly.

Ordered that said bills and resolution be printed and referred to Committee on Rules.

And that they had passed bills which originated in this House entitled:

H. B. 229. An Act authorizing the Governor, Circuit Judge of Breathitt Circuit Court and the County Judge of Breathitt county to appoint members to a "Soldiers' Memorial Board."

H. B. 206. An Act to repeal and re-enact Sec. 2118 Kentucky Statutes, 1915, relating to remarriage of a divorced person.

H. B. 94. An Act providing that no city of the 4th, 5th or 6th class or town which is or may heerafter be in said classification shall sell, convey, lease or mortgage, etc.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

The hour of twelve o'clock Meridian having arrived, the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION.

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had passed a bill which originated in this House entitled:

H. B. 503. An Act to repeal, amend and re-enact Section 3 of chapter 127 of the Acts of 1928, now section 4224b-3, relating to tax on gasoline, etc.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

And that they had passed a resolution which originated in this House, entitled:

H. Res. 7. Resolution for the benefit of A. J. Bush of Elizabethtown, Kentucky.

With an Amendment thereto.

(For resolution see House Journal of February 10).

Said amendment as adopted by the Senate is as follows, viz.:

Amend H. Res. 7 by striking out all of lines 1, 2, 3, 4 and 5 and insert in lieu thereof the following "That A. J. Bush be and he is hereby allowed and authorized and permitted to sue the Commonwealth of Kentucky in the circuit court of his residence for damages not exceeding $5,000.00 as he may have suffered, if any, by reason of a personal injury so suffered by said A. J. Bush on the 2nd day of February 1924. In the event damages are recovered by the said Bush for said injury same to be paid by the Auditor by warrant on the treasury."

Said Amendment was then concurred in.

Said resolution was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	Joseph Martin
E. S. Allison	Thomas Dunn	T. R. McRoberts
U. G. Anderson	J. W. Edwards	Henry Meiman
William B. Ardery	William A. Eimer	L. B. Murphy
W. O. Baxter	Garland Embry	H. L. Nickell
S. A. Blackburn	Joseph B. Everhart	Fred A. Nolte
D. C. Bradley	Kelly J. Francis	Curtis F. Park
T. L. Britton	F. A. Gnau	J. D. Patton
John R. Buckman	L. B. Hamilton	James I. Peters
James A. Campbell	H. G. Handmaker	John H. Pickett
Lee Clark	Robt. L. Horn	John W. Preston
Bradley Combs	R. L. Jackson	W. E. Randall
Leonard Cook	Grover C. Johnson	Dorsey Ratliff
W. W. Cooper	Theron M. Johnson	D. O. Stanley
Ben L. Cox	J. R. Johnston	Frank L. Strange
William J. Curtis	M. F. Jordan	E. J. Thomas
J. J. Davis	A. R. Kincheloe	J. A. Thompson
E. C. Dennington	John B. Klefot	G. W. Wigginton
S. J. Douthitt	Frank LeBus	Robert Williams
C. B. Dowling	Martin Light	—59

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said resolution be delivered to the Enrolling Clerk of this House.

And that they had passed a bill which originated in that body, entitled:

S. B. 405. An Act to repeal chapter 92 of the Acts of the General Assembly of 1926 entitled "An Act to establish a State Trade and Training School for negroes," etc.

Ordered that said bill be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 720. An Act authorizing the Fiscal Courts of Counties having cities of the second class therein, to employ a Zoning Engineer and fixing his compensation therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That in all counties having therein cities of the second class, the Fiscal Courts of said counties be, and they are hereby, authorized to employ a Zoning Engineer to perform any and all duties necessary to be performed by said Zoning Engineer in connection with the Zoning Law in effect in said cities of the second class.

§ 2. Said Fiscal Courts are hereby authorized to pay said Zoning Engineer for his services rendered not less than Eighteen Hundred ($1800.00) Dollars nor more than Twenty-four Hundred ($2400.00). Dollars per annum, the amount of said salary to be fixed by the Fiscal Court.

§ 3. All laws or parts of laws, in conflict herewith are hereby repealed to the extent of such conflict.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. O. Baxter	W. C. Dugan	James A. May
D. C. Bradley	J. W. Edwards	T. R. McRoberts
T. L. Britton	Garland Embry	Henry Meiman
John Young Brown	Joseph B. Everhart	B. T. Morris
J. Watt Brown	Kelly J. Francis	M. L. Napier
John R. Buckman	John B. Furlong	H. L. Nickell
James A. Campbell	L. B. Hamilton	Fred A. Nolte
Lee Clark	Rev. B. L. Hargrove	John H. Pickett
Bradley Combs	Robt. L. Horn	John W. Preston
Elmer Cook	C. E. Houk	W. E. Randall
W. W. Cooper	R. L. Jackson	D. O. Stanley
Ben L. Cox	Grover C. Johnson	H. L. Taylor
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
William J. Curtis	M. F. Jordan	E. J. Thomas
J. J. Davis	A. R. Kincheloe	H. Speed Tye
E. C. Dennington	John B. Klefot	Dr. Vallandingham
James R. Dorman	Frank LeBus	J. E. Walters
S. J. Douthitt	Fred V. Lucas	G. W. Wigginton
C. B. Dowling	B. K. Marshall, Jr.	Robert Williams

—57

Those who voted in the negative were—

U. G. Anderson Curtis F. Park —2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 684. An Act amending, repealing and re-enacting Section 3828-2, Kentucky Statutes, Carroll's 1922 Edition, being an act concerning the parole of convicts, their applications for parole, and prescribing rules for the conduct of prisoners; contracts for employment of paroled prisoners; the approval of the parole by the Governor; and providing certificates of parole and the furnishing of clothes and transportation for paroled prisoners.

With a Committee Amendment thereto by way of Substitute therefor.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 3828-2 of the Kentucky Statutes, Carroll's 1922 Edition, be amended, repealed, and re-enacted, so that said section, when so amended, repealed, and re-enacted, shall read as follows:

"After any prisoner has been confined in one of the penal institutions of this state for one-third of the sentence or sentences imposed upon such prisoner by the judgment of the court wherein he was convicted and sentenced, he may file an application for a parole with the Board of Charities and Corrections, excepting persons convicted for life or persons sentenced for sixteen years or longer, to one of said institutions, who shall not be allowed to file an application for a parole until eight years have elapsed since the said prisoner was confined in said institution. The board shall have full power and authority to adopt and certify to the warden of each institution under their control such reasonable rules and regulations as the board shall deem proper and fair, providing for the keeping of proper records of the conduct and deportment of prisoners, and for the careful record of any important facts in the life and character of such prisoners which may be pertinent for consideration in the final determination of such prisoner's application for a parole.

"Should the said board, after careful consideration and in the full exercise of its discretion, deem said application reasonable and timely, said board shall ascertain from the records of the institution where said applicant is confined, and from other trustworthy sources, whether he or she has been of good demeanor, and in the opinion of the board has been sufficiently meritorious and has earned sufficient grade or rank for good conduct by obedience to the rules and regulations of the institution in which he or she is confined for the period of time to be fixed by the rules of the board, next preceding the date of his or her application; and said board shall also ascertain whether the applicant has secured, or had secured for him or her, some respectable employment with a solvent, reputable person, firm or corporation at a compensation sufficient to render such applicant self-sustaining after parole, which employment shall be evidenced by a written contract of employment for at least six months; provided, however, that prisoners under the age of sixteen years and

female prisoners may be paroled without contract for stipulated wages, where a home for such prisoners shall have been procured in a reputable family or apprenticed to a solvent, reputable person, firm or corporation under a written contract for proper support, care and moral supervision; and no contract shall be necessary for the employment of prisoners owning estates sufficient to yield enough income or proceeds to make such prisoner self-sustaining.

"The said board shall, by its rules, provide proper forms of contract, applicable to the respective classes of prisoners enumerated in this section, and may, in its discretion, require a surety or sureties for the faithful performance of the same.

"After said board has ascertained the facts mentioned above, and the prisoner's previous life as to probity or criminality, and as to the indications of his purpose to reform, they shall consider said application and shall have full discretion or power to refuse the same, but if they wish to have the parole granted, they shall make a brief report in writing to the Governor, stating the facts mentioned in this section, together with the reasons in favor of granting the application for parole, and if the Governor then approve the granting of the parole by his signature thereto, said parole shall be granted and the certificate thereof, with the Governor's signature attached thereto, shall be given to said prisoner; provided, however, that should the board, in its discretion, refuse the application for a parole, they shall in a detailed report file their reasons therefor with the record of the said applicant, and a copy thereof should be sent to the Governor.

"On the parole of any prisoner, he shall be provided, at the expense of the Commonwealth, with a suit of clothes, transportation to the county in this Commonwealth in which he has secured employment, and with five dollars ($5.00) in cash.

"Any acts or parts of acts in conflict herewith are hereby repealed."

Said Substitute is as follows, viz.:

Sub. H. B. 684. An Act amending, repealing and re-enacting Section 3828-2, Kentucky Statutes, Carroll's 1922 Edition as amended by Act of 1926, Chapter 152, page 712, being an act concerning the parole of convicts, their applications for parole, and prescribing rules for the conduct of prisoners; contracts for employment of paroled prisoners; the approval of the parole by the Governor; and providing for certificates of parole and the furnishing of clothes and transportation for paroled prisoners.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

After any prisoner serving a sentence of ten years or less or sentences aggregating ten years or less, has been confined in one of the penal institutions of this state for one-third of the sentence or sentences imposed upon such prisoner by the judgment of the court wherein he was convicted and sentenced, he may file an application for a parole with the board of prison commissioners. After any prisoner serving a sentence or sentences, aggregating more than ten years and not more than twenty-one years, shall have been confined in one of the penal institutions of this state for at least six years of the sentence or sentences imposed upon such prisoner by the judgment of the court wherein he was convicted and sentenced, he may file an application for parole with the board of prison commissioners. Persons convicted for life or persons sentenced for more than twenty-one years to one of said institutions, shall not be allowed to file an application for parole until eight years have elapsed since the said prisoner was confined in said institution.

The board shall have full power and authority to adopt and certify to the warden of each institution under their control such reasonable rules and regulations as the board shall deem wise and fair, providing for the keeping of proper rec-

ords of the conduct and deportment of prisoners, and for the careful record of any important facts in the life and character of such prisoners, which may be pertinent for consideration in the final determination of such prisoner's application for parole.

Should the said board, after careful consideration and in the full exercise of its discretion, deem said application reasonable and timely, said board shall ascertain from the records of the institution where said applicant is confined, and from other trustworthy sources whether he, or she, has been of good demeanor, and in the opinion of the board has been sufficiently meritorious and has earned sufficient grade or rank for good conduct by obedience to the rules and regulations of the institution in which he, or she, is confined for the period of time to be fixed by the rules of the board, next preceding the date of his or her application; and said board shall also ascertain whether the applicant has secured, or had secured, for him or her, some respectable employment with a solvent, reputable person, firm or corpoartion at a compensation sufficient to render such applicant self-sustaining after parole, which employment shall be evidenced by a written contract of employment for at least six months; provided, however, that prisoners under the age of sixteen years and female prisoners may be paroled without contract for stipulated wages, where a home for such prisoner shall have been procured in a reputable family or apprenticed to a solvent, reputable person, firm or corporation under a written contract for proper support, care and moral supervision; and no contract shall be necessary for the employment of prisoners owning estates sufficient to yield enough income or proceeds to make such prisoner seulf-sustaining.

The said board shall, by its rules, provide proper forms of contracts, applicable to the respective classes of prisoners enumerated in this section, and may, in its discretion, require a surety or sureties for the faithful performance of the same.

After said board has ascertained the facts mentioned above, and the prisoner's previous life as to probity or criminality, and as to the indications of his purpose to reform, they shall consider said application and shall have full discretion or power to refuse the same, but if they wish to have the parole granted, they shall take a brief report in writing to the governor, stating the facts mentioned in this section, together with the reasons in favor of granting the application for parole, and if the governor then approve the granting of the parole by his signature thereto, said parole shall be granted and the certificate thereof, with the governor's signature attached thereto, shall be given to said prisoner. On the parole of any prisoner, he shall be provided at the expense of the Commonwealth with a suit of clothes, transportation to the county in this Commonwealth in which he has secured employment, and with five dollars ($5.00) in cash.

Said Substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	D. C. Bradley	James A. Campbell
U. G. Anderson	T. L. Britton	Lee Clark
William B. Ardery	John R. Buckman	Bradley Combs
W. O. Baxter	Dr. R. A. Byers	Elmer Cook

W. W. Cooper	H. G Handmaker	H. L. Nickell
Ben L. Cox	Rev. B. L. Hargrove	Fred A. Nolte
H. G. Crabtree	Robt. L. Horn	Curtis F. Park
William J. Curtis	R. L. Jackson	J. D. Patton
Winn Davis	Grover C. Johnson	John W. Preston
E. C. Dennington	Theron M. Johnson	W. E. Randall
James R. Dorman	J. R. Johnston	D. O. Stanley
S. J. Douthitt	A. R. Kincheloe	Frank L. Strange
W. C. Dugan	Frank LeBus	H. L. Taylor
Thomas Dunn	Martin Light	Elmer J. Terry
J. W. Edwards	H. R. Marquette	E. J. Thomas
William A. Eimer	B. K. Marshall, Jr.	J A. Thompson
Garland Embry	Joseph Martin	Thomas H. Troxel
Joseph B. Everhart	James A. May	H. Speed Tye
Kelly J. Francis	Geo. R. McIntosh	Dr. Vallandingham
John B. Furlong	Henry Meiman	J. E. Walters
F. A. Gnau	B. T. Morris	Robert Williams
L. B. Hamilton	L. B. Murphy	—65

Those who voted in the negative were—

C. E. Houk	M. F. Jordan	James I. Peters
J. Roy Johnson	T. R. McRoberts	—5

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 449. An Act to repeal, amend and re-enact sections 4426b-1 and 4426b-3 Carroll's Kentucky Statutes,

Baldwin's 1928 Supplement, relating to the election and qualifications of sub-district trustee.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sections 4426b-1 and 4426b-3 Carroll's Kentucky Statutes, Baldwin's 1928 Supplement, be and the same are hereby repealed, amended and re-enacted to read as follows:

That on and after the passage of this act sub-district trustees shall be elected by the qualified voters of the various sub-districts every two years. The election shall be conducted by two persons appointed by the county board of education. Such election officers shall be residents of the sub-district and possess all qualifications of electors. The election shall be held at the schoolhouse in each sub-district on the third Saturday in September 1930 and each two years thereafter. The election shall be held between the hours of two o'clock P. M. and four o'clock P. M. and shall be viva voce vote. The officers of the election shall keep a poll sheet on which the name of each person voting and the candidate for whom he votes is recorded. This poll sheet shall be properly certified by the election officers and turned over to the county board of education within five days of the election. The person receiving the highest number of votes cast shall be elected sub-district trustee for a term of two years beginning the first Monday in March next succeeding his election and until his successor is elected and qualified. Any vacancies that may exist in the trusteeship of any school sub-district shall upon the recommendation of the county superintendent, be filled by appointment by the county board of education and the trustee thus appointed shall hold office until the next regular election for sub-district trustees.

The sub-district trustee elected under the provisions of this act shall possess such educational qualifications as will

enable him to sign reports, make requisitions, take the census and perform such other duties as may be required by law.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R Dorman	Joseph Martin
E. S. Allison	S. J. Douthitt	James A. May
U. G. Anderson	C. B. Dowling	T. R. McRoberts
William B. Ardery	W. C. Dugan	B. T. Morris
W. O. Baxter	Thomas Dunn	L. B. Murphy
S. A. Blackburn	J. W. Edwards	M. L. Napier
D. C. Bradley	William A. Eimer	Caleb A. Page
T. L. Britton	Garland Embry	Curtis F. Park
John Young Brown	J. O. Evans	J. D. Patton
J. Watt Brown	J. B. Everhart	James I. Peters
John R. Buckman	Kelly J. Francis	John H. Pickett
Dr. R. A. Byers	John B. Furlong	John W. Preston
James A. Campbell	F. A. Gnau	W. E. Randall
Lee Clark	H. G. Handmaker	Dorsey Ratliff
Bradley Combs	Rev. B. L. Hargrove	D. O. Stanley
Elmer Cook	J. F. Harrison	H. L. Taylor
Leonard Cook	Robt. L. Horn	Elmer J. Terry
W. W. Cooper	R. L. Jackson	E. J. Thomas
Ben L. Cox	Grover C. Johnson	J. A. Thompson
H. G. Crabtree	Theron M. Johnson	Thomas H. Troxel
G. Cunningham	M. F. Jordan	H. Speed Tye
William J. Curtis	Frank LeBus	Dr. Vallandingham
J. J. Davis	Martin Light	J. E. Walters
E. C. Dennington	B. K. Marshall, Jr.	G. W. Wigginton

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 646. An Act to dedicate to state road purposes certain lands, situated in Franklin County, State of Kentucky, owned by the Commonwealth of Kentucky.

Said bill reads as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the following described tract of land, situated in Franklin County, State of Kentucky, belonging to the Commonwealth of Kentucky be and the same is hereby dedicated for state road purposes, to-wit:

"The point of beginning being at station 47 plus 42.1 in the center of line of survey made by the Kentucky State Highway Department, thence running thirty-five (35) feet from the center line to a point thirty-five (35) feet left (east) and opposite station 47 plus 42.1 in the center line of said survey, thence running thirty-five (35) feet from and parallel with the center line of a 15 deg. 00 min. curve to the left one hundred thirty-three and nine-tenths (133.9) feet, thence continuing thirty-five (35) feet from and parallel with the said center line S. 17 deg. 22 min. E. two hundred and twenty and three-tenths (220.3) feet to a point of 12 deg. 00 min. curve to left, thence continuing thirty-five (35) feet from and

parallel with said center line two hundred fifty-five and two-tenths (255.2) feet to P. T. of curve, thence continuing thirty-five (35) feet from and parallel with the center line S. 50 deg. 12 min. E. four hundred twenty-six and six-tenths (426.6) feet to P. C. of 30 deg. 00 min. curve to the right, thence continuing thirty-five (35) feet from and parallel with the center line of 30 deg. 00 min. curve two hundred twenty-eight and seven-tenths (228.7) feet, thence running at right angles to the center line one hundred fifteen (115) feet to a point one hundred fifty (150) feet left and opposite station 60 plus 00 in the center line of said survey, thence running one hundred fifty (150) feet from and parallel with the center line of 30 deg. 00 min. curve one hundred three and seven-tenths (103.7) feet to P. T. of curve, thence continuing one hundred fifty (150) feet from and parallel with the center line S. 24 deg. 15 min. W. forty-two and three-tenths (42.3) feet to a point in the property line between the property of the Commonwealth of Kentucky and D. E. Showalter, thence running with the said property line N. 65 deg. 45 min. W. one hundred fifty (150) feet to station 61 plus 00 in the center line of survey, thence continuing with the last named property line N. 89 deg. 00 min. W. thirty-eight (38) feet to a point thirty-five (35) feet right (west) and opposite station 61 plus 15, thence running thirty-five (35) feet from and parallel with the said center line N. 24 deg. 15 min. E. fifty-seven and three-tenths (57.3) feet, thence continuing thirty-five (35) feet from and parallel with the center line of 30 deg. 00 min. curve two hundred five and five-tenths (205.5) feet, thence continuing thirty-five (35) feet from and parallel with the said center line N. 50 deg. 12 min. W. four hundred twenty-six and six-tenths (426.6) feet, thence continuing thirty-five (35) feet from and parallel with the center line of 12 deg. 00 min. curve eighty-nine and one-tenth (89.1) feet to a point in the property line of the Commonwealth of Kentucky, said point being thirty-five (35) feet right (west) opposite station 53 plus 00 in the center line of survey, thence running with the

last named property line in a northerly direction five hundred seventy (570) feet, more or less, to the point of beginning, containing 2.02 acres, more or less."

And the Kentucky State Highway Commission is to have and to hold the said above described tract of land for state road purposes, the same to be and constitute the right-of-way for the Frankfort and Lawrenceburg Highway, and the said Kentucky State Highway Commission shall have the power, right and authority to go upon and contract on and over said above described tract of land a highway, said road or highway to be constructed in the manner and form as shown in the Plans and Specifications for the said Frankfort and Lawrenceburg Highway now on file in the offices of the Kentucky State Highway Commission, and the said Kentucky State Highway Commission shall have the right, power and authority to have, hold and so use the above described tract of land as long as the same shall be used for such road purposes.

Any and all acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John R. Buckman	Elmer Cook
U. G. Anderson	Dr. R. A. Byers	Leonard Cook
W. O. Baxter	James A. Campbell	W. W. Cooper
S. A. Blackburn	Lee Clark	Ben L. Cox
John Young Brown	Bradley Combs	H. G. Crabtree

G. Cunningham	H. G. Handmaker	James A. May
William J. Curtis	Rev. B. L. Hargrove	Geo. R. McIntosh
Winn Davis	Robt. L. Horn	T. R. McRoberts
James R. Dorman	R. L. Jackson	Henry Meiman
S. J. Douthitt	Grover C. Johnson	B. T. Morris
C. B. Dowling	J. Roy Johnson	L. B. Murphy
W. C. Dugan	Theron M. Johnson	Curtis F. Park
Thomas Dunn	J. R. Johnston	J. D. Patton
J. W. Edwards	M. F. Jordan	James I. Peters
William A. Eimer	A. R. Kincheloe	John H. Pickett
Garland Embry	John B. Klefot	John W. Preston
J. O. Evans	Frank LeBus	W. E. Randall
Joseph B. Everhart	Martin Light	Dorsey Ratliff
Kelly J. Francis	Fred V. Lucas	Frank L. Strange
John B. Furlong	H. R. Marquette	J. A. Thompson
F. A. Gnau	B. K. Marshall, Jr.	G. W. Wigginton
L. B. Hamilton	Joseph Martin	—65

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 741. An Act to amend and re-enact Section 3012 of Carroll's Kentucky Statutes, Baldwin's Edition of 1922.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3012 of Carroll's Kentucky Statutes, Baldwin's Edition of 1922, be amended by adding to the

provisions of said Act the further words "and the Commissioners of the Sinking Fund, in addition to the penalty provided for by ordinance, may have an action of debt to recover said license fee in any court in this Commonwealth having jurisdiction of the amount against the person so failing to obtain such license when required so to do," so that said Section when amended and re-enacted shall be and read in full as follows:

"Section 3012. License fee to be fixed by ordinance; Penalty. Each ordinance of such City imposing a license shall fix the fee to be paid therefor by the license and shall also prescribe a penalty for failing to obtain said license when required so to do, provided, however, that nothing in any Section of this Act shall in any way affect statutes and ordinances now in force in regard to liquor licenses. And the Commissioners of the Sinking Fund, in addition to the penalty provided for by ordinance, may have an action of debt to recover said license fee in any court in this Commonwealth having jurisdiction of the amount, against the person so failing to obtain such license when required so to do."

§ 2. All laws and parts of laws in conflict with this Act are hereby repealed.

§ 3. As cities of the first class have no right, at present, to collect license fees by an action of debt and many licenses are due and unpaid and the collection of same by enforcement of penalties has been found insufficient to obtain the desired result, an emergency is now declared to exist and this law shall take effect immediately upon its passage and approval of the Governor.

Mr. Gnau offered the following Amendment to said bill, viz.:

Amend H. B. 741 by adding thereto in section 1 the following "provided, however, the provisions of this Act shall not apply to any license or tax assessed against motor vehicles."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	H. R. Marquette
E. S. Allison	William A. Eimer	B. K. Marshall, Jr.
U. G. Anderson	Garland Embry	James A. May
S. A. Blackburn	Joseph B. Everhart	Geo. R. McIntosh
D. C. Bradley	Kelly J. Francis	T. R. McRoberts
J. Watt Brown	John B. Furlong	B. T. Morris
John R. Buckman	F. A. Gnau	Tyler F. Munford
Dr. R. A. Byers	L. B. Hamilton	M. L. Napier
James A. Campbell	H. G. Handmaker	H. L. Nickell
Lee Clark	Rev. B. L. Hargrove	Caleb A. Page
Bradley Combs	J. F. Harrison	Curtis F. Park
Leonard Cook	Robt. L. Horn	J. D. Patton
W. W. Cooper	C. E. Houk	James I. Peters
Ben L. Cox	R. L. Jackson	John H. Pickett
H. G. Crabtree	Grover C. Johnson	W. E. Randall
William J. Curtis	J. Roy Johnson	Dorsey Ratliff
J. J. Davis	Theron M. Johnson	Frank L. Strange
Winn Davis	M. F. Jordan	Elmer J. Terry
E. C. Dennington	A. R. Kincheloe	E. J. Thomas
James R. Dorman	John B. Klefot	J. A. Thompson
S. J. Douthitt	Frank LeBus	Thomas H. Troxel
C. B. Dowling	Martin Light	H. Speed Tye
W. C. Dugan	Fred V. Lucas	G. W. Wigginton

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 719. An Act to authorize the Governor to receive as trustee from the Secretary of War of the United States, and distribute as trustee according to his judgment, certain "Other Funds" remaining to the credit of such National Guard units of Kentucky as have not been reconstituted.

Said bill reads as follows, viz.:

WHEREAS, it has been duly made known to the proper authorities of this State that the Secretary of War of the United States has in his possession, as trustee, certain moneys known as "Other Funds" which had been collected for their own use and benefit by certain National Guard organizations that were broken up as units for or as the result of service in the World War, and have not been reconstituted; and

WHEREAS, it further appears that the Secretary of War, as trustee, desires to turn over to a substitute trustee, duly authorized by this State, such portion of the said funds as equitably belongs to the National Guard of this State, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Governor is hereby authorized to receive such funds as trustee, and to distribute them for the benefit of the

National Guard of this State, in such manner as his judgment shall dictate.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
J. W. Edwards
William A. Eimer
Garland Embry
Joseph B. Everhart
Kelly J. Francis
John B. Furlong
F. A. Gnau
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
Frank LeBus
Martin Light
H. R. Marquette
Joseph Martin
James A. May
Geo. R. McIntosh
T. R. McRoberts
B. T. Morris
F. Tyler Munford
M. L. Napier
H. L. Nickell
Caleb A. Page
Curtis F. Park
James I. Peters
W. E. Randall
Dorsey Ratliff
Frank L. Strange
H. L. Taylor
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
C. B. Truesdell
H. Speed Tye
L. M. Weathers
G. W. Wigginton
Robert Williams

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Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 91. An Act concerning estates not exceeding one hundred dollars of persons under disability to permit payment to those having custody of such persons.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That in the settlement of any estate in the county or circuit court or in any action wherein real property has been sold, if any person under disability be entitled to share in the proceeds and such share does not exceed one hundred dollars ($100.00) exclusive of interest, and such person has no guardian, curator or committee, the court may order the same to be paid to the person having custody of such person under disability. Before entering the order the court shall be satisfied by affidavit or oral testimony that the custody of the person under disability is had by the person to whom it is proposed to pay the money and the latter, upon withdrawal of the money, shall be under obligation as trustee to expend the same for the support, maintenance or education of the person under disability. If the order is made, no bond shall be required for the share of the person under disability and the purchaser of the real estate may pay such share into court, and no lien shall remain on the real estate therefor and the money may be withdrawn by the person mentioned in the order without his giving bond.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Kelly J. Francis	Tyler F. Munford
S. A. Blackburn	John B. Furlong	Fred A. Nolte
D. C. Bradley	F. A Gnau	Caleb A. Page
John Young Brown	L. B. Hamilton	J. D. Patton
John R. Buckman	H. G. Handmaker	James I. Peters
James A. Campbell	Rev. B. L. Hargrove	John W. Preston
Lee Clark	C. E. Houk	Dorsey Ratliff
Bradley Combs	R. L. Jackson	D. O. Stanley
Elmer Cook	Grover C. Johnson	Frank L. Strange
W. W. Cooper	J. Roy Johnson	H. L. Taylor
Ben L. Cox	J. R. Johnston	Elmer J. Terry
H. G. Crabtree	M. F. Jordan	E. J. Thomas
William J. Curtis	A. R. Kincheloe	J. A. Thompson
J. J. Davis	John B. Klefot	Thomas H. Troxel
E. C. Dennington	Frank LeBus	H. Speed Tye
James R. Dorman	H. R. Marquette	J. D. Via
S. J. Douthitt	Joseph Martin	J. E. Walters
W. C. Dugan	James A. May	L. M. Weathers
J. W. Edwards	Geo. R. McIntosh	G. W. Wigginton
William A. Eimer	T. R. McRoberts	Robert Williams
Garland Embry	Henry Meiman	
Virgil Eversole	B. T. Morris	—64

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 571. An Act relating to revenue and taxation, defining duties of the clerk in relation to issual of license, providing a uniform expiration date for such license, and repealing and re-enacting section 4196 of Kentucky Statutes.

Said bill is as follows, viz.:

That section 4196 of Kentucky Statutes, be and the same is hereby repealed, amended and re-enacted, so that the same shall read as follows:

§ 1. No clerk shall issue any license except on blanks furnished to him by the Auditor of Public Accounts, and under the seal of the court. All licenses hereafter granted shall be made to expire with the close of the fiscal year on the 30th day of June following the date of issue, and no license shall be granted for less than a year, except that when a person, firm or corporation engages in a business requiring such license after the first day of July of any year, such person, firm or corporation shall be required to obtain a license from the date when such business is first engaged in until the 30th day of June following, and the license fee shall be as many twelfths of the annual tax as there are remaining months in the fiscal year.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Dennington moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Francis moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

Ordered that H. B. 765 be recommitted.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 95. An Act to amend sections 1550-26 and 1550-28 of Carroll's Kentucky Statutes, 1922 Edition, relating to elections, canvassing returns thereof and procedure in contest therewith.

Said bill reads as follows, viz.:

Be it enacted by the General Assmbly of the Commonwealth of Kentucky:

That section 1550-26 of the Kentucky Statutes, 1922 edition, be and the same is hereby amended by striking out the words "and certificates of nomination shall immediately issue to the persons receiving the greatest number of votes for offices for which they were candidates," immediately following the word "commissioners" in line 13 from the top of page 690 in said section, and inserting in lieu thereof the following: "The commissioners shall then adjourn until the tenth day after the day of election and on this day the commissioners shall issue certificates of nomination to the persons receiving the greatest number of votes for offices for which they were candidates and had prior thereto filed their election expense statements as required by law, provided no contest of any such nomination is then pending in which an immediate recount of the ballots is sought. In the event such recount proceeding is then pending, the commissioners will

not issue any certificate of nomination to any person being so contested until directed by the court."

Also by adding the words "and who has filed his election expense statement as required by law," immediately following the word "candidate" in the twelfth line from the bottom of page 690.

Also by adding the words "providing a contest is not then pending asking an immediate recount of the ballots, in which event the commissioners will not issue certificate in race contested but will be governed by the provision herein relative to county commissioners in such cases" immediately following the words "certificate of nomination" in the eleventh line from the bottom of said page.

Said section, when so amended, is hereby re-enacted and shall read as follows:

On the third day after the close of any primary nominating election the county election commissioners of each county shall proceed to canvass the returns of said primary election and tabulate the same. The tabulation of votes for all offices for which the nomination papers are required to be filed in the county clerk's office shall be on another separate sheet of paper for each political party and shall be filed in the county clerk's office immediately after the canvass of the returns and tabulation of the votes by said election commissioners; the commissioners shall then adjourn until the tenth day after the day of election and on this day the commissioners shall issue certificates of nomination to the persons receiving the greatest number of votes for offices for which they were candidates and had prior thereto filed their election expense statements as required by law, provided no contest of any such nominations is then pending in which an immediate recount of the ballots is sought. In the event such recount proceeding is then pending, the commissioners will not issue any certificate of nomination to any person being so contested until directed by the court. And said certificates shall, not less than fifteen days next before the day on which the general Novem-

ber election is held, be filed with the county clerk. Such tabulation of votes for nominations for candidates for office whose nomination papers are now, or may hereafter be required to be filed in the office of the Secretary of State, shall be made on one separate sheet for each political party, and shall be immediately transmitted under seal to the Secretary of State, in like manner as other election returns are transmitted to him. On the fourteenth day after such primary nominating election the State board of election commissioners shall meet at the capitol and canvass the returns of said primary that have been certified and filed with the Secretary of State for all officers where the returns are required to be certified to and filed with the Secretary of State for all the political parties entitled to participate in such primary nominating election; and after they have completed the tabulation and canvass of the returns of said primary nominating election they shall immediately certify to the same, and they shall issue to that candidate of each political party receiving the highest number of votes for the office for which he was a candidate, and who has filed his election expense statement as required by law, a certificate of nomination, providing a contest is not then pending, asking an immediate recount of the ballots, in which event the commissioners will not issue certificate in the race contested but will be governed by the provision herein relative to county commissioners in such cases, which certificate shall, not less than thirty days next before the day on which the general November election is held, be filed in the office of the Secretary of State. The Secretary of State shall not less than twenty days before the day on which the general November election is held, certify under the seal of his office the persons whose names are entitled to be printed on the official ballot at the November election as the candidates of the various political parties for the offices to be filled at such election, and who have been nominated as herein provided; and he shall make and transmit by registered mail, a duplicate of such list and certificate of nomination of candidates for offices to the county

court clerks of every county in the State where the candidate is to be voted for by the State at large, and he shall so transmit the names of such candidates to the county clerk of each and every county in the district in which such candidate is to be voted for, where the candidate is to be voted for by a district composed of more than one county.

Also that said Section 1550-28 be and the same is hereby repealed and in lieu thereof the following is enacted:

Any candidate who was voted for at any primary election under this act may contest the right of any candidate to the nomination claimed by him by filing a petition in the circuit court of the county of contestee's residence within 15 days from the day of the primary election stating the specific grounds relied upon for such contest, and causing a summons to be issued thereon, returnable in ten days, which summons may be served on contestee in any county or it may be served by leaving a copy with a member of his family (over 16 years of age) at his home or by posting a copy on the door of his residence. The contestee shall file his answer within ten days after service of summons, which answer may contain grounds of contest in favor of appellee and against appellant, but such grounds must be specifically set out and no ground of contest by either party shall be filed or made more definite by amendment after the expiration of the time given herein to file same. Contestant may file reply within five days after answer is filed, which shall complete the pleading; the affirmative matter in the reply shall be treated as controverted. Upon return of said summons properly executed, as herein provided, to the office of the circuit clerk of the county in which said action is pending, it shall be the duty of the clerk of the circuit court to immediately docket said cause and to immediately notify the presiding judge of the circuit court of said county that such contest has been instituted: Provided, That in counties constituting separate circuit court districts and having more than one circuit judge the judge who shall hear and determine such cause shall be determined by lot. Each

party to such contest shall be entitled in the production of evidence to be used on the trial thereof to all the remedies allowed in cases at law and in equity, and the judge shall proceed to a trial of said cause within five days after the issue is joined as herein provided. In trying such contests the court shall hear and determine all questions of law and fact without the intervention of a jury and may examine the witnesses orally or require the parties to take the evidence by depositions, in the discretion of the court, or as may be agreed by the parties: Provided, however, That if the evidence is taken orally either party may have the right to require it to be taken by the official stenographer or a reporter for the court, to be taken and transcribed and paid for as evidence in other civil actions. The court may require the contestant, or the person who has the burden of proof under the issue joined, to complete his proof in not less than fifteen days after service of summons, and the contestee, or the persons not having the burden, to complete his proof in not less than ten days after filing of answer, and each party may be given one day additional for producing evidence in rebuttal and no greater time shall be extended, unless the court be satisfied that the ends of justice demand it. The court shall, immediately after the evidence is concluded, consider said contest and determine the same, and his judgment shall be filed in the office of the circuit court clerk as the judgment of the court, and shall have the same force and effect as a judgment of the court, and shall have the same force and effect as a judgment rendered by the court in term time. The party desiring to appeal from the judgment of the court shall not later than the next day after the same is rendered, execute a supersedeas bond in the same form and to the same effect as other supersedeas bonds in other civil actions for an appeal to the Court of Appeals, and the clerk shall immediately thereafterwards transmit to the clerk of the Court of Appeals the original papers in said contest, including such transcript of evidence as may be furnished or as may be required by the court or by the par-

ties, and said record of said contest, when received by the clerk of the Court of Appeals, shall be immediately delivered to the chief justice, and said contest shall have precedence over all other business and causes then pending in the Court of Appeals and shall be heard and disposed of by the Court of Appeals as speedily as the exigencies in the case will admit. If on the trial of such contest the issue is finally decided in favor of the contestee this fact shall be certified to the Secretary of State, and to the County court clerk of the county in which the cause is finally determined. If said contest is finally decided in favor of the contestant this fact shall be certified to the Secretary of State, and to the clerk of the circuit court of the county in which the contest originated; and if the contest was of a nomination that is required to be certified to the Secretary of State, then the Secretary of State will place the name of the successful contestant on the ticket in the place of the name of the contestee to be voted for by his political party at the succeeding November election. If the nomination is one that is required to be certified to the county court clerk, then the county court clerk or clerks of the county or counties in which such candidate is to be voted for, shall place the name of the successful contestant on the ballot of his political party in lieu of the name of the contestee, to be voted for at the succeeding November election: Provided, however, That when the contests provided for in this act shall be for nomination to offices for the state at large, the contest shall be filed and tried in the Franklin Circuit Court; but shall otherwise be subject to the provisions of this act.

Provided that if either party desires a recount of the ballots before certificate is issued he shall make request therefor in his petition within 10 days after the day of election or in the answer filed within 5 days after the service of process on the petition and in the event such request is made the election commissioners whose duty it is to issue certificates shall be made parties defendants; the clerk shall immediately notify the circuit judge of such request and said judge shall

at once enter an order directing the ballots, boxes and all papers pertaining to said election to be transferred to the circuit court and fix a day for such recount proceedings to begin: Said order, however, shall not be entered until the party applying for such order shall have executed bond with approved surety for the costs of the recount in an amount to be fixed by such circuit judge; a copy of said order shall be served upon the parties or their counsel in the same manner as notices are required to be served, which shall be deemed sufficient notice of such proceeding. On the day so fixed the court or judge in vacation shall proceed to recount the ballots if their integrity is satisfactorily shown and shall complete same as soon as practicable and file and enter of record the results thereof and direct the election commissioners, whose duty it is to issue the certificates, to issue the same to the pary entiled thereto as shown by said recount. Either party desiring to do so may appeal from the judgment to the Court of Appeals by executing supersedeas bond, as required in other civil cases, before the clerk of the circuit court and by filing the original papers and transcript of the orders in the Court of Appeals within ten days after the entering of said judgment. On the filing of said appeal in the Clerk's office of the Court of Appeals, the clerk of said court shall immediately deliver the same to the chief justice and said court shall proceed immediately to the hearing thereof and complete the same as soon as practicable. If the Court of Appeals is in vacation at the time of filing said appeal, the chief justice shall call together the judges of said court or a majority thereof who shall hear and determine the same in the same manner and with the same effect as if heard and tried by the court in regular session.

The action of the courts, as herein provided, shall be final, concluding the parties as to the question of a recount of the ballots and certificates shall then be issued to the parties entitled thereto. This proceeding for immediate recount may be asked and prosecuted in the same suit with regular contest

grounds, but shall not await the preparation or trial of said contest in either court. If an immediate recount is not asked, as herein allowed, the commissioners shall issue the certificates to those shown to have been selected upon the face of the returns.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. J. Davis	Theron M. Johnson
U. G. Anderson	Winn Davis	J. R. Johnston
William B. Ardery	James R. Dorman	M. F. Jordan
W. O. Baxter	S. J. Douthitt	A. R. Kincheloe
S. A. Blackburn	C. B. Dowling	Frank LeBus
D. C. Bradley	W. C. Dugan	Martin Light
T. L. Britton	J. W. Edwards	H. R. Marquette
J. Watt Brown	William A. Eimer	B. K. Marshall, Jr.
John R. Buckman	Garland Embry	Joseph Martin
Dr. R. A. Byers	Joseph B. Everhart	James A. May
James A. Campbell	Virgil Eversole	Henry Meiman
Lee Clark	Kelly J. Francis	B. T. Morris
Bradley Combs	John B. Furlong	M. L. Napier
Elmer Cook	F. A. Gnau	H. L. Nickell
Leonard Cook	L. B. Hamilton	Fred A. Nolte
W. W. Cooper	H. G. Handmaker	Caleb A. Page
Ben L. Cox	Rev. B. L. Hargrove	J. D. Patton
H. G. Crabtree	C. E. Houk	John W. Preston
G. Cunningham	R. L. Jackson	W. E. Randall
William J. Curtis	J. Roy Johnson	D. O. Stanley

Frank L. Strange	C. B. Truesdell	L. M. Weathers
H. L. Taylor	H. Speed Tye	G. W. Wigginton
Elmer J. Terry	J. D. Via	
J. A. Thompson	J. E. Walters	—70

There voted in the negative—

E. J. Thomas —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 96. An Act to dispense with Administration of the Estates of Deceased Persons in certain cases.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Administration may be dispensed with in certain cases of small estates.

The county court in its discretion may enter an order that no letters of administration on estates of persons dying intestate need be obtained, if the personal property and/or money on hand or in bank does not exceed the amount by law declared to be exempt from distribution and sale and directed to be set aside by the appraisers to the widow or to the surviving infant children or to the widow and the surviving infant children. Proof may be allowed by or on behalf of

such infant children or widow of the value and nature of such estate and, if the court be satisfied that no personal estate will be left after allowing and setting apart the exempted property, it shall order that no letters of administration shall be issued of such estate, unless on the application of creditors or other parties interested the existence of other personal property be shown. And after the making of such order and until such time as the same may be revoked the widow, or, if there be no widow, the guardian or guardians of the infant children, shall be authorized to collect, sue for and obtain all the property belonging to such estate. The widow shall settle her accounts as though she had qualified as administratrix. If there be no widow, the guardian or guardians shall account for the property in the settlement of their accounts.

§ 2. Administration may be dispensed with by agreement in certain cases.

(1) It shall not be necessary to have a personal representative of the estate of a deceased person or any administration upon his estate, in case,

(a) There are no debts owing by the estate;

(b) All persons beneficially entitled to the personal estate have agreed in writing that there shall be no administration and,

(c) Either there are no claims or demands due the estate, or the written agreement provided in clause (b) shall designate a trustee with power to collect claims and demands.

(2) The written agreement provided in clause (b) of subsection (1) must be acknowledged by the parties and filed in the county court together with the motion of the parties for an order dispensing with administration. If the court is satisfied by affidavit or otherwise that the conditions prescribed in subsection (1) exist, it shall enter an order dispensing with administration. If the written agreement of the beneficiaries designate a trustee to collect claims or demands, the order shall confirm such designation and the person so

designated shall have the same right to sue for and collect claims and demands that an administrator has.

(3) If any person beneficially interested in an estate is not sui juris, consent for such person to the written agreement provided in clause (b) of subsection (1) may be given by his representative, to-wit: his guardian, curator or committee as the case may be. But in the case of a prisoner otherwise sui juris, consent may be given by him personally instead of by his curator, provided it is acknowledged before the warden or keeper of the prison and certified by him to have been in his opinion understood and freely given by such prisoner. If any person not sui juris is beneficially interested, a trustee appointed under subsection 2 to collect claims and demands shall have no power to act until he shall have given bond to account for the share of such person and said bond shall have been approved by the county court.

(4) If an order dispensing with the administration is made as above allowed, it may be set aside at any time within five years upon motion of any person who shall satisfy the court by prima facie proof that he has a just claim or demand against the estate that is unsatisfied.

(5) If administration or letters testamentary shall have been granted before application for an order dispensing therewith, the court shall not make such order except upon notice to the personal representative and opportunity to be heard nor until the costs of the administration have been paid and the accounts of the personal representative settled. If the order is then entered, the administration or letters testamentary thereby shall be ipso facto revoked.

(6) That court shall have jurisdiction of proceedings to dispense with administration which would have had jurisdiction to grant administration had the deceased died intestate.

Mr. Dorman offered the following amendment to said bill, viz.:

Amend S. B. 96 by striking from page 2, section 2, lines 3, 4 and 5 thereof, the words "It shall not be necessary to have a personal representative of the estate of a deceased person or any administration upon his estate, in case," and substituting in lieu thereof the words "It shall not be necessary to have administration upon the estate of a person dying intestate, in case,"

Also amend S. B. 96 by inserting between lines 11 and 12 on page 2, in section 2 the following paragraphs:

"(d) The county court shall be satisfied that provision has been made for the inheritance tax of the Commonwealth and for the Federal Estate Tax.

(e) The persons applying for an order dispensing with administration shall advertise for creditors of the intestate to appear and present their claims to some person, and at some place at the county seat, who and which shall be designated in the advertisement. The advertisement shall also give notice when, where and by whom the order dispensing with administration will be applied for. The advertisement shall be posted at the Court House door for six weeks, and if there is published in the county a newspaper of general circulation, the advertisement shall also be published by one insertion therein weekly for six weeks. The order dispensing with administration shall not be granted until the persons applying therefor shall file in the County Court the affidavit of one of them showing that advertisement for creditors has been made as herein required.

(f) The persons applying for the order dispensing with administration shall, before the order is entered, give bond with surety in double the amount of the personal estate to the Commonwealth for the benefit of any creditors who may, within nine months from the intestate's death, appear and file their claims with the Clerk of the County Court. This bond shall be approved by the county court and shall run to the Commonwealth for the benefit of said creditors and be

conditioned to be void if none of them files his claim with the Clerk within the time aforesaid.''

Said Amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Garland Embry	L. B. Murphy
U. G. Anderson	Joseph B. Everhart	H. L. Nickell
S. A. Blackburn	Virgil Eversole	Fred A. Nolte
D. C. Bradley	Kelly J. Francis	J. D. Patton
T. L. Britton	John B. Furlong	John W. Preston
John Young Brown	F. A. Gnau	W. E. Randall
John R. Buckman	L. B. Hamilton	Dorsey Ratliff
Dr. R. A. Byers	Rev. B. L. Hargrove	D. O. Stanley
James A. Campbell	R. L. Jackson	Frank L. Strange
Lee Clark	Grover C. Johnson	H. L. Taylor
Bradley Combs	J. Roy Johnson	Elmer J. Terry
Elmer Cook	M. F. Jordan	E. J. Thomas
Leonard Cook	A. R. Kincheloe	J. A. Thompson
W. W. Cooper	Frank LeBus	C. B. Truesdell
Ben L. Cox	Martin Light	H. Speed Tye
William J. Curtis	H. R. Marquette	J. D. Via
Winn Davis	B. K. Marshall, Jr.	J. E. Walters
E. C. Dennington	James A. May	L. M. Weathers
James R. Dorman	Geo. R. McIntosh	G. W. Wigginton
S. J. Douthitt	T. R. McRoberts	Robert Williams
W. C. Dugan	Henry Meiman	
J. W. Edwards	B. T. Morris	—64

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 98. An Act to regulate sales of real estate belonging to infants and persons of unsound mind.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The guardian of an infant or the committee of a person of unsound mind may sell and convey any interest in real estate owned by his ward for such reasons and upon such terms and conditions as he shall deem for the best interest of said ward, provided, however, that no such sale shall be consummated until same shall have been approved by the Judge of the Circuit Court in the County where the land or portion thereof is located in an equitable action filed by the guardian or committee against said infant, or person of unsound mind, the petition whereof shall set forth the reasons for the sale and the terms thereof and proof taken by depositions duly filed or on oral proof before the chancellor, which proof shall thereafter be transcribed and filed in the record of the case which proof shall not be taken until after the appointment filed or on oral proof before the chancellor, which proof shall be taken only on notice to said guardian ad litem, and which proof shall satisfy the chancellor that the sale is advisable

and price satisfactory and after said guardian ad litem shall have made a defense or shall have filed a report stating that after a careful examination of the case he is unable to make a defense; nor until the guardian or committee shall have executed bond with approved surety in an amount not less than the purchase price of the land in substance as follows:

"We, ———, principal, and ————, sureties bind ourselves to ———— that the said ———— as guardian or committee will faithfully discharge all his duties as such and will comply with the judgment and orders of the court in this action and will account for, pay and deliver to the said ———— ———— all money or property due or belonging to him or her when requested;" nor until the chancellor has filed with the clerk of the court a written order approving the sale and bond, which order and bond shall be recorded by the clerk in the order book of the Court.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James A. Campbell	H. G. Crabtree
U. G. Anderson	Bradley Combs	William J. Curtis
William B. Ardery	Elmer Cook	Winn Davis
D. C. Bradley	Leonard Cook	James R. Dorman
John Young Brown	W. W. Cooper	S. J. Douthitt
John R. Buckman	Ben L. Cox	W. C. Dugan

J. W. Edwards	J. R. Johnston	J. D. Patton
William A. Eimer	M. F. Jordan	John W. Preston
Garland Embry	A. R. Kincheloe	Dorsey Ratliff
Joseph B. Everhart	Frank LeBus	Denny P. Smith
Kelly J. Francis	Martin Light	D. O. Stanley
John B. Furlong	B. K. Marshall, Jr.	Frank L. Strange
F. A. Gnau	Joseph Martin	H. L. Taylor
L. B. Hamilton	James A. May	E. J. Thomas
H. G. Handmaker	T. R. McRoberts	J. A. Thompson
Rev. B. L. Hargrove	Henry Meiman	Thomas H. Troxel
Robt. L. Horn	B. T. Morris	C. B. Truesdell
C. E. Houk	H. L. Nickell	J. D. Via
R. L. Jackson	Fred A. Nolte	J. E. Walters
Grover C. Johnson	Caleb A. Page	L. M. Weathers
J. Roy Johnson	Curtis F. Park	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 99. An Act to amend section 1596a-12 of Carroll's Kentucky Statutes, 1922 edition, relating to contested elections.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 1596a-12 of Carroll's Kentucky Statutes, edition of 1922, be and the same is hereby amended by strik-

ing therefrom the words "in the case of an officer elective by the voters of the whole State or any distrist comprising more than one county, within thirty days after the final action of the board of canvassers, and in case of any other office within ten days after such action;" same being first six lines from the bottom of page 714, and inserting in lieu thereof the words "within thirty days after day of election."

Also by striking the word "thirty" in second line of literary paragraph three and inserting in lieu thereof the word "sixty"; also by striking from the next line the words "issues are made up" and inserting in lieu thereof the words "service of summons;" also by striking the word "twenty" in line four of said paragraph and inserting in lieu thereof the word "fifty"; also by striking the word "thereafter" in line five of said paragraph and inserting in lieu thereof the words "after filing of answer"; also by striking out the word "to" in line 15 of said paragraph and inserting in lieu thereof the word "before."

Also by adding after literary paragraph three of said section the following: "Provided that if either party desires a recount of the ballots before certificate is issued he shall make request therefor in his petition or answer within ten days after the day of election, and in the event such request is made the election commissioners whose duty it is to issue such certificates shall be made parties defendants; the clerk shall immediately notify the circuit judge of such request and said judge shall at once enter an order directing the ballots, boxes and all papers pertaining to said election to be transferred to the circuit court and fix a day for such recount proceedings to begin; said order, however, shall not be entered until the party applying for such order shall have executed bond with approved surety for the costs of the recount in the amount to be fixed by such circuit jugde; a copy of said order shall be served upon the parties or their counsel in the same manner as notices are required to be served, which shall be deemed sufficient notice of such proceeding. On the day so

fixed the court or judge in vacation shall proceed to recount the ballots if their integrity is satisfactorily shown and shall complete same as soon as practicable and file and enter of record the results thereof and direct the election commissioner, whose duty it is to issue the certificates, to issue the same to the party entitled thereto as shown by said recount. Either party desiring to do so may appeal from the judgment to the Court of Appeals by executing supersedeas bond, as required in other civil cases, before the clerk of the circuit court and by filing the original papers and transcript of the orders in the Court of Appeals within ten days after the entering of said judgment. On the filing of said appeal in the clerk's office of the Court of Appeals, the clerk of said court shall immediately deliver the same to the Chief Justice and said Court shall proceed immediately to the hearing thereof and complete the same as soon as practicable. If the Court of Appeals is in vacation at the time of filing said appeal, the Chief Justice shall call together the Judges of said court or a majority thereof who shall hear and determine the same in the same manner and with the same effect as if heard and tried by the Court in regular session.

The action of the courts, as herein provided, shall be final, concluding the parties as to the question of a recount of the ballots and certificates shall then be issued to the parties entitled thereto. This proceeding for immediate recount may be asked and prosecuted in the same suit with regular contest grounds, but shall not await the preparation or trial of said contest in either court. If an immediate recount is not asked, as herein allowed the commissioners shall issue the certificates to those shown to have been selected upon the face of the returns."

So that said section, when so amended, be re-enacted and will read as follows:

In case there shall be a contest of the election of Secretary of State, Auditor, Treasurer, Attorney General, Superintendent of Public Instruction, Commissioner of Agri-

culture or other State officer, or in case there shall be a contest of the election of a judge or a clerk of the Court of Appeals, Circuit Judge, Commonwealth's Attorney or Railroad Commissioner, or of any officer elected by the voters of a county or any district therein, excepting members of the General Assembly, or of any police judge, clerk, marshal, or other elective municipal officer, where there is no other provision by law for determining the contested election of such municipal officer, the contest shall be made by the filing of a petition in the circuit court of the county where the contestee resides, except where the officer is one elective by the voters of the whole state, in which event the petition shall be filed in the Franklin Circuit Court. Such petition shall be filed and process issued within thirty days after the day of election; and shall state the grounds of the contest relied on, and no other grounds shall afterwards be relied upon.

Within twenty days after the service of summons upon him the contestee shall file his answer, which may consist of a denial of the averments of the petition and may also set up grounds of contest against the contestant, and if grounds are so set up they shall be especially pointed out and none other shall thereafter be relied upon by said party. A reply may be filed within ten days after the answer or answers are filed, but its affirmative allegations shall be treated as controverted, and no subsequent pleading allowed, and the action shall proceed as an equity action.

The evidence in chief for the contestant shall be completed within sixty days after the service of summons and the evidence of the contestee completed within fifty days after filing of answer, and the evidence for contestant, in rebuttal in fifteen days after the contestee has concluded. The action shall have precedence on the trial docket over all other cases. All ballots, poll-books, stubs or other papers concerning which there is any ground for contest may be removed to the court in which the action is pending. Either party may appeal from the judgment of the circuit court to the Court of

Appeals by giving bond before the Clerk of the Circuit Court, with good surety, conditioned for the payment of all costs and damages the other party may sustain by reason of the appeal and by filing the record in the Clerk's office of the Court of Appeals, within thirty days after final judgment in the circuit court. And in the Court of Appeals the case shall be heard and determined as speedily as possible, and shall have precedence over all cases.

Provided that if either party desire a recount of the ballots before certificate is issued he shall make request therefor in his petition or answer within ten days after the day of election, and in the event such request is made the election commissioners whose duty it is to issue such certificates shall be made parties defendants; the clerk shall immediately notify the circuit judge of such request, and said judge shall at once enter an order directing the ballots, boxes and all papers pertaining to said election to be transferred to the circuit court and fix a day for said recount proceeding to begin; said order, however, shall not be entered until the party applying for such order shall have executed bond with approved surety for the costs of the recount in an amount to be fixed by such circuit judge; a copy of said order shall be served upon the parties or their counsel in the same manner as notices are required to be served, which shall be deemed sufficient notice of such proceeding. On the day so fixed the court or judge in vacation shall proceed to recount the ballots if their integrity is satisfactorily shown and shall complete same as soon as practicable and file and enter of record the results thereof and direct the election commissioners, whose duty it is to issue the certificates, to issue same to the party entitled thereto as shown by said recount. Either party desiring to do so may appeal from the judgment to the Court of Appeals by executing supersedeas bond, as required in other civil cases, before the clerk of the circuit court and by filing the original papers and transcript of the orders in the Court of Appeals within ten days after the entering of

said judgment. On the filing of said appeal in the clerk's office of the Court of Appeals, the clerk of said Court shall immediately deliver the same to the Chief Justice and said Court shall proceed immediately to the hearing thereof and complete the same as soon as practicable. If the Court of Appeals is in vacation at the time of filing of said appeal the Chief Justice shall call together the Judges of said court or a majority thereof who shall hear and determine the same in the manner and with the effect as if heard and tried by the Court in regular session.

The action of the courts, as herein provided, shall be final, concluding the parties as to the question of a recount of the ballots and certificates shall be issued to the parties entitled thereto. This proceeding for immediate recount may be asked and prosecuted in the same suit with regular contest grounds, but shall not await the preparation of trial of said contest in either court. If an immediate recount is not asked, as herein allowed, the commissioners shall issue the certificate to those shown to have been elected upon the face of the returns.

In case it shall appear from an inspection of the whole record that there has been such fraud, intimidation, bribery or violence in the conduct of the election that neither contestant nor contestee can be adjudged to have been fairly elected, the circuit court, subject to revision by appeal, or the court of appeals finally may adjudge that there has been no election. In such event the office shall be deemed vacant, with the same legal effect as if the person elected had refused to qualify.

On the production of a copy of the final judgment the successful party shall be permitted to qualify or be commissioned, or a writ of new election shall be issued as the judgment may require. The unsuccessful party shall pay all costs in both courts.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Joseph B. Everhart	B. T. Morris
U. G. Anderson	Virgil Eversole	F. Tyler Munford
William B. Ardery	Kelly J. Francis	Fred A. Nolte
S. A. Blackburn	John B. Furlong	J D. Patton
D. C. Bradley	L. B. Hamilton	John W. Preston
John Young Brown	H. G. Handmaker	W. E. Randall
John R. Buckman	Rev. B. L. Hargrove	Dorsey Ratliff
James A. Campbell	C. E. Houk	Denny P. Smith
Bradley Combs	R. L. Jackson	D. O. Stanley
Elmer Cook	Grover C. Johnson	Frank L. Strange
Leonard Cook	Theron M. Johnson	H. L. Taylor
Ben L. Cox	J. R. Johnston	E. J. Thomas
H. G. Crabtree	M. F. Jordan	J. A. Thompson
William J. Curtis	Martin Light	Thomas H. Troxel
J. J. Davis	H. R. Marquette	H. Speed Tye
James R. Dorman	B. K. Marshall, Jr.	J. D. Via
C. B. Dowling	Joseph Martin	J. E. Walters
W. C. Dugan	James A. May	L. M. Weathers
J. W. Edwards	Geo. R. McIntosh	Robert Williams
William A. Eimer	T. R. McRoberts	
Garland Embry	M. F. Moore	—61

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 101. An Act amending Section 334 of the Civil Code of Practice, relating to preparing and filing bills of exceptions.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 334 of the Civil Code of Practice of Kentucky be and the same is amended by adding to the end of said section the following language:

"Provided, that time may be given to a date in vacation within which the bill of exceptions may be tendered, and when same is approved and signed by the then judge of the court, in which the case was tried, and filed by the clerk of said court, said bill of exceptions and the transcript of evidence shall have the same effect as if filed in term time," so that said section, when thus amended, shall read as follows:

"The party objecting must except when the decision is made; and time may be given to prepare a bill of exceptions, but not beyond a day in the succeeding term, to be fixed by the court.

"If the judge of said court shall die or resign, or his term of office shall expire before the term of court to which time is given to file bill of exceptions, or if the regular judge of the court, or any special judge who shall have tried the case, does not preside at the said next term of court, then it shall be the duty of the regular judge of said court, if present and presiding, or any special judge who may be presiding at said term of court, to sign said bill of exceptions, and attest the transcript of testimony taken by the official stenographic reporter, and make all necessary orders with reference thereto.

"If no court is held at the term to which time is given to file bill of exceptions, then the party offering the bill of exceptions shall have until the next term of court to perfect and prepare the bill of exceptions; Provided, That time may be given to a date in vacation within which the bill of exceptions may be tendered, and when same is approved and signed by the then judge of the court in which the case was tried, and filed by the clerk of said court, said bill of exceptions and the transcript of evidence shall have the same effect as if filed in term time."

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Elmer Cook	Garland Embry
U. G. Anderson	W. W. Cooper	Joseph B. Everhart
William B. Ardery	Ben L. Cox	Virgil Eversole
W. O. Baxter	H. G. Crabtree	Kelly J. Francis
S. A. Blackburn	G. Cunningham	John B. Furlong
D. C. Bradley	William J. Curtis	L. B. Hamilton
T. L. Britton	J. J. Davis	H. G. Handmaker
John Young Brown	Winn Davis	Rev. B. L. Hargrove
John R. Buckman	James R. Dorman	Robt. L. Horn
Dr. R. A. Byers	S. J. Douthitt	R. L. Jackson
James A. Campbell	W. C. Dugan	Grover C. Johnson
Lee Clark	J. W. Edwards	J. Roy Johnson
Bradley Combs	William A. Eimer	J. R. Johnston

M. F. Jordan	Henry Meiman	Frank L. Strange
A. R. Kincheloe	B. T. Morris	H. L. Taylor
John B. Klefot	F. Tyler Munford	J. A. Thompson
Frank LeBus	L. B. Murphy	Thomas H. Troxel
Martin Light	H. L. Nickell	C. B. Truesdell
H. R. Marquette	Fred A. Nolte	Dr. Vallandingham
B. K. Marshall, Jr.	Curtis F. Park	J. D. Via
Joseph Martin	J. D. Patton	Robert Williams
James A. May	James I. Peters	G. W. Wigginton
T. R. McRoberts	John W. Preston	—68

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from Earl Maxwell Heavrin, Secretary to the Governor, which was read to the House and which is in words as follows, viz.:

To the Speaker and Members
of the House of Representatives
Frankfort, Kentucky.

Gentlemen:

On March 10, 1930, the Chief Clerk of the House of Representatives presented to the undersigned, at the office of the Governor, House Bills Nos. 559 and 641, with the request that I give him a receipt stating that they were received by me on March 8, 1930. Quite naturally I refused to comply with his request. Upon an examination of the bills, I found written upon each of them a lengthy statement of the Clerk, over his signature, to the effect that he had tried at various times on the afternoon and night of March 8, to deliver said

bills to the Governor and his secretaries but without success. I advised the Clerk that the bills would not be accepted with the aforesaid statements written upon them, but if he would erase or cancel the statements, by drawing lines through them, I would accept the bills as of March 10, 1930. This he refused to do.

On the afternoon of March 10, 1930, a delegation, headed by the Chief Clerk of the House of Representatives, came to my office requesting that I accept House Bills Nos. 559 and 641. At that time I asked the Clerk if the statements in controversy were still written upon the bills and he informed me that they were. Thereupon I again refused to accept the bills in that condition. Nothing more was said to me relative to receiving these two bills until approximately 5:30, P. M., March 12, at which time the Chief Clerk, accompanied by one of his assistants, appeared at my office and placed the bills in controversy on my desk and turned to go, saying that they desired to leave some bills with me. Upon ascertaining that the bills were House Bills Nos. 559 and 641, I inquired of the Clerk if he were still unwilling to remove his statement from the bills. He replied in the affirmative. I then inquired if he would sign a joint statement with me reciting in substance that the Governor was receiving the bills under protest. This he also declined to do. He then advised me that he had come to my office to leave these bills in my custody and that he was not asking a receipt. Consequently, I gave him none.

The Governor being of opinion, under the Constitution, and the law of the State, that neither the Clerk of the Senate nor the Clerk of the House have a right to make notations, additions, changes or mutilations of or on any bill or resolution of the General Assembly before delivering it to the Governor; and, the Governor being further of opinion that he is entitled to receive all bills from the House and Senate in their original condition as signed and approved by the President of the Senate and the Speaker of the House without additions, changes, notations or mutilations by any one

whomsoever, he insisted that the bills be so delivered to him for aproval or veto, and urged through me, that all notations, additions, changes or mutilations placed on House Bills Nos. 559 and 641 by the Clerk of the House be removed therefrom before delivery to the Governor, but the Clerk of the House being unwilling to so do, and failing and refusing to comply with this request, the Governor at 5:30 o'clock P. M. March 12, 1930, received House Bills Nos. 559 and 641 with the controversial notations of the Clerk of the House thereon, under protest. As stated before in this letter, the Clerk advised me he was not asking for a receipt,—he received none.

Yours very respectfully,

EARL MAXWELL HEAVRIN,

Secretary to Governor.

Mr. Houk moved that said message be spread upon the Journal of this House.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 401. An Act to require all drivers of motor vehicles transporting school children to stop each and every such motor vehicle before crossing over any stream, etc.

Ordered that said bill be printed and referred to Committee on Rules.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 311. An Act to provide for the payment of premiums on bonds executed by county officers.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That all County Officers and who upon assuming their respective offices are required under the law to execute bond for the faithful discharge and performance of their duties, and who shall have such bond executed by any incorporated surety company authorized to do a surety business in the State of Kentucky, shall pay the premium on such bond and the amount paid for such premium shall be and become a valid claim against the County, and shall be paid in the same manner as other claims are paid.

§ 2. Provided that in each case in which a claim is made for the payment of premium on the bond executed as above set out, the officer executing the bond as principal shall verify the claim by his affidavit, and that the amount of premium to be paid on the bond shall be approved by the Circuit Judge for the County Judge, Circuit Clerk and Master Commissioner; and by the County Judge for all other County officers.

Mr. Terry moved that said bill be laid on the table.

Said motion was agreed to

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 564. An Act to amend Sec. 4325 Kentucky Statutes, Carroll's 1922 Edition.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4325, Kentucky Statutes, Carroll's 1922 Edition, be amended and re-enacted so that said section as amended and re-enacted shall read as follows:

§ 1. There is hereby created in the several counties of the State of Kentucky the office of county road engineer. The county judge of each of the counties of this State shall, within thirty days after this law becomes operative and every two years thereafter, appoint a county road engineer, who shall be either a reputable civil engineer or a man who has had practical experience as a road supervisor or builder for at least two years and who shall have passed a creditable examination by the state highway engineer.

Nothing in this section shall prevent the present county road engineers from serving the term for which they are elected or appointed. Such county road engineer shall serve for two years from the time of appointment. Vacancies in the office of county road engineer shall be filled by appointment for the unexpired term by the county judge of the county. The county road engineer shall receive a salary of not less than one thousand dollars ($1,000) per annum, to be fixed by the fiscal court, which shall be paid as provided in case of other county officials. It shall be the duty of the county clerk to give written notice to the appointees provided in this chapter of their appointment as soon thereafter as practical, and each person appointed shall, within ten days after having been notified of such appointment, qualify by giving such bond as the county court may direct for the faithful performance of his duties, and shall also take oath to well and truly perform the duties thereof. The county road engineer shall have an office, with proper furniture and equipment, at the county seat of the county. In all counties of the State levying a road tax amounting to over fifty thousand dollars ($50,000), the fiscal court shall furnish the county road engineer with transportation in performing duties in connection with the superintending, construction, repair and maintenance of the roads in the county. To this end the fiscal court may purchase or rent teams or automobiles which may be used by the county judge or committees of the fiscal court or boards of commissioners for inspection

of the roads and to determine recommendations on needed work and repairs.

All acts and laws in conflict herewith to the extent of such conflict are hereby repealed.

Mr. Weathers offered the following Amendment to said bill, viz.:

Amend H. B. 564 by striking out the words "county judge" wherever it appears and place in lieu thereof words "fiscal court."

Said amendment was agreed to.

Mr. Thompson offered the following Amendment to said bill, viz.:

Amend H. B. 564 by striking out the word "shall" wherever it appears and insert the word "may".

Said Amendment was disagreed to.

Mr. Douthitt moved that said bill be laid on the table.

Said motion was agreed to.

Mr. Handmaker moved that Miss Margaret Gnau be appointed Honorary Page for this session.

Mr. Napier moved that the Speaker appoint a Committee composed of three members of this House to act in conjunction with a like Committee from the Senate, to wait upon the Governor for the purpose of ascertaining from him his wishes with regard to revenue legislation.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Napier, LeBus and Everhart as members constitutiing said Committee.

A message was received from the Senate announcing that they had passed a resolution which originated in that body, entitled:

S. Res. 16. Resolution of the General Assembly of Kentucky.

Ordered that said resolution be printed and referred to Committee on Rules.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 140. An Act relating to Pensions for Confederate Soldiers, amending Section one (1) of Chapter 150 of the Acts of the General Assembly of 1928, page 521.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1 of Chapter 150 (p. 521) Acts of the General Assembly, session of 1928, relating to Pensions for Confederate Soldiers be and the same is amended by striking out the words "to whom she was married prior to January 1, 1890," and inserting in lieu thereof the words "to whom she was married prior to January 1, 1910," so that as thus amended said section will read as follows:

"That any Confederate veteran who has been an actual bona fide resident of this State continuously since January 1, 1907, and who did actual military service in the Confederate army from the date of his enlistment till the clase of the war or until he was honorably discharged as an officer or private

soldier or sailor in the military and naval service of the Confederate States of America in the war of 1861-65, or the widow of such officer or private soldier or sailor to whom she was married prior to January 1, 1910, and who was living with him as his lawful wife at the time of his death and who has not remarried again since the death of her veteran husband shall be paid out of the State Treasury the sum of $20.00 per month upon proof of the fact according to forms and regulations prescribed by this Act and conditions therein. Provided, that any officer or private soldier or sailor who was prevented from so serving until the close of the war, or until he was honorably discharged by reason of wounds or disease contracted in line of duty, which rendered him unable to perform further military service, shall be entitled to the benefits of this Act as though he had served until the close of the war or until honorably discharged; and provided, further, that any officer or private soldier or sailor who deserted or was discharged, shall not be entitled to the benefits of this Act unless he be re-enlisted or returned to the service on the Confederate army and served until the close of the war or until he was honorably discharged or was prevented from serving by wounds received or disease contracted in line of duty which rendered him unable to perform further military service."

§ 2. All laws or Acts in conflict herewith are hereby repealed, and this Act to become effective upon its passage and approval.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. O. Evans	T. R. McRoberts
E. S. Allison	Joseph B. Everhart	Henry Meiman
U. G. Anderson	Virgil Eversole	M. F. Moore
William B. Ardery	Kelly J. Francis	B. T. Morris
S. A. Blackburn	John B. Furlong	F. Tyler Munford
D. C. Bradley	F. A. Gnau	H. L. Nickell
John Young Brown	L. B. Hamilton	Fred A. Nolte
John R. Buckman	H. G. Handmaker	Caleb A. Page
James A. Campbell	Rev. B. L. Hargrove	Curtis F. Park
Lee Clark	J. F. Harrison	James I. Peters
Bradley Combs	Robt. L. Horn	John W. Preston
Leonard Cook	C. E. Houk	Dorsey Ratliff
W. W. Cooper	R. L. Jackson	Frank L. Strange
Ben L. Cox	J. Roy Johnson	H. L. Taylor
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
William J. Curtis	J. R. Johnston	J. A. Thompson
E. C. Dennington	M. F. Jordan	Thomas H. Troxel
James R. Dorman	Frank LeBus	C. B. Truesdell
S. J. Douthitt	Martin Light	Dr. Vallandingham
J. W. Edwards	H. R. Marquette	J. D. Via
William A. Eimer	Joseph Martin	L. M. Weathers
Garland Embry	James A. May	G. W. Wigginton

—66

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 161. An Act relating to embalming.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. After the passage of this Act no person shall be granted a license to engage in the practice of embalming dead human bodies within the Commonwealth of Kentucky, who has not at the time of the making application for such license attained the age of twenty-one (21) years, nor shall such person be granted such license unless at the time of making said application, such person shall have a high school education, the same to be evidenced by a certificate or diploma from a high school or a satisfactory showing to the Board of having standard credits or units which would entitle such person to a high school diploma or certificate, providing this Act shall not affect any person now engaged in embalming.

Such person shall have had, before making the application for license a course of study of not less than twenty-six (26) weeks in the science and art of embalming, disinfection and sanitation in a regular school of embalming, recognized by said State Board of Embalming.

§ 2. Every person desiring to engage in the practice of embalming dead human bodies in the Commonwealth of Kentucky, shall make a written application to the State Board of Embalming, accompanying the application with a fee of twenty-five ($25.00) dollars, and in said application shall give the Board full and detailed information, as to the requirements above set out in section one, with reference to age, school education, education in the school of embalming, apprenticeship and experience in embalming, such information to be given on blanks furnished by the Board for such purpose. The applicant shall furnish the Board with two certificates of good moral character of the applicant, same to be signed by a licensed embalmer and a licensed undertaker, engaged in business in Kentucky. Thereafter, and within a reasonable time the Board shall notify the applicant of the

time and place to be fixed by the Board for an examination of the applicant for license.

Upon such examination, if the Board shall find the applicant of the required age; of good moral character, possessed of the requisite school and embalming education, and to have had the required practical experience, and possessed of such skill and knowledge of and in the science and art of embalming, and the care and disposition of dead bodies, including a reasonable knowledge of sanitation and disinfection of the bodies of dead or diseased persons, and the apartments, clothing and bedding in cases of death from infectious or contagious diseases, the Board shall issue a license to said applicant to engage in the practice of embalming and the care and disposition of the dead, and shall register such applicant as a duly licensed embalmer, and issue to the applicant a certificate or license signed by a majority of the Board and authenticated by the Board's seal.

Such persons as may receive such certificate or license shall have said license or certificate registered in the office of the County Court Clerk of the County of his residence, and shall pay the Clerk of said Court a fee of $1.00 for such registration, and shall display said license or certificate in a conspicuous place in the place of business of such licensee.

§ 3. Any person who shall embalm or attempt to practice the science of embalming in the Commonwealth of Kentucky without having first procured a license or certificate so to do, and having had same registered in accordance with this Act or prior laws, shall be deemed guilty of a misdemeanor, and upon conviction in any Court of competent jurisdiction shall be subjected to a fine of one hundred ($100.00) dollars, for each offense, and each case of practicing without the required license or certificate shall be deemed a separate offense.

§ 4. Be it further enacted that said section 1599a-7 Kentucky Statutes, Carroll's 1922 Edition, and section 1599a-8 Carroll's Kentucky Statutes Supplement 1926, being so much

of Chapter 102 Acts of the General Assembly of Kentucky, session 1924, as applies to the science of embalming, and all laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	Martin Light
E. S. Allison	J. W. Edwards	Fred V. Lucas
U. G. Anderson	William A. Eimer	H. R. Marquette
William B. Ardery	Garland Embry	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
T. L. Britton	F. A. Gnau	L. B. Murphy
James A. Campbell	L. B. Hamilton	M. L. Napier
Lee Clark	H. G. Handmaker	H. L. Nickell
Bradley Combs	Rev. B. L. Hargrove	Fred A. Nolte
Elmer Cook	J. F. Harrison	J. D. Patton
Leonard Cook	C. E. Houk	Denny P. Smith
W. W. Cooper	R. L. Jackson	D. O. Stanley
Ben L. Cox	Grover C. Johnson	Frank L. Strange
H. G. Crabtree	J. Roy Johnson	Dr. Vallandingham
G. Cunningham	Theron M. Johnson	J. D. Via
Winn Davis	J. R. Johnston	L. M. Weathers
J. J. Davis	M. F. Jordan	G. W. Wigginton
E. C. Dennington	A. R. Kincheloe	Robert Williams
James R. Dorman	John B. Klefot	
S. J. Douthitt	Frank LeBus	—61

Those who voted in the negative were—

John R. Buckman W. E. Randall H. L. Taylor

—3

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 16. An Act relating to the creation of water districts in counties of the State, and providing for the establishment, construction, or purchase of a water system, for the purpose of furnishing water to the inhabitants thereof; prescribing the methods of expenditure, the assessment and collection of costs and expenses thereof; providing for the appointment of commissioners and prescribing their duties and providing for the payment of officers and employees. The issuing and selling of district bonds with which to secure funds to defray the costs and expenses of any such improvements, repealing an Act entitled an Act "relating to the creation of water districts, etc.," approved March 27, 1926, being Chapter 139 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1926, and the amendment thereto approved March 20th, 1928, being Chapter 8 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1928, and further providing for correcting errors in assessments made under the provisions of this Act.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, for the purposes of preserving and promoting the public health, the convenience and welfare, and to provide fire protection to the citizens of any county in the State, the county judge of any such county upon petition of seventy-five freeholders, residents of the proposed district may establish a water district and appoint water commissioners as hereinafter provided, for the purpose of furnishing a water supply to the citizens of any county.

The said petition shall describe the territory intended to be included in any such district, and shall set out the reasons for the necessity of the organization of same. Upon the filing of said petition, the judge of the county court shall cause to be published in three issues in a newspaper of a general circulation in the county, if one, or if none, by posting notices in three public places in the proposed district that said petition has been filed. Within thirty days after the publication, or notice, any resident of the proposed district may file his objections, and the court shall then set the case for hearing within ten days. If the court shall be of the opinion that the establishment of such district is reasonably necessary for the public health, convenience, fire protection, and comfort of the residents thereof, it shall thereupon make an order establishing said district, and designating the same by name or number.

The court may in this order strike off any part of the territory, which the testimony shows will not be benefited by the creation of such district. If the court be not satisfied that said district shall be created, it shall dismiss the petition. Either party may thereupon prosecute an appeal to the circuit court for a retrial, and from the circuit court to the Court of Appeals as provided by law.

§ 2. After the county judge shall have made an order creating said water district, he shall appoint three commissioners, residents of the water districts, to be known as water

district commissioners. One of said commissioners shall be appointed for the term of two years, one for the term of three years and one for the term of four years. Upon the expiration of the term of office of each of these commissioners, the county judge shall appoint a commissioner to succeed him to serve for the term of four years.

Said commissioners shall receive a salary not to exceed two hundred dollars per year to be fixed by the county judge, and to be paid out of the treasury of the water district fund.

§ 3. After the establishment of the water district its territorial limits may be enlarged or diminished in the following way. The water commissioners shall file a petition with the county judge, describing the territory to be annexed or stricken off and setting out the reasons for the same. Notice of said petition shall be published in a newspaper of general circulation in the county, or by posting notices in three public places in the proposed district, and within thirty days after the publication, or notice, any resident of the water district, or other territory proposed to be annexed or stricken off, may file his objections and exceptions. The county judge shall thereupon set the matter for hearing, and if he be of the opinion that the annexation of such territory is reasonably necessary he shall make an order anexing said territory. Otherwise he shall dismiss the petition. If the county judge be of the opinion that the striking off of said territory is proper, he shall make such an order, otherwise he shall dismiss the petition. Either party may thereupon prosecute an appeal to the circuit court, where the matter shall be re-heard, and from the circuit court to the Court of Appeals, in the manner now provided by law. If any part of the territory or land stricken off has been assessed to pay the costs of any improvement, provided for herein, the water district commissioners shall strike said assessments from the assessment roll and refund to the respective owners of the land in said territory so stricken off any and all assessments collected thereon. If any deficit is incurred by striking any

part of the territory from said water district, or by striking assessments from the assessment roll, so as to make same insufficient to pay any bonded indebtedness of said water district said deficit shall be paid out of the general fund of said district, realized from all other resources in said district.

§ 4. The water district commissioners shall elect a chairman, secretary, and treasurer. They shall have power to acquire, contract, purchase, install and lay pipe and water laterals, and operate a water system for any district. For all purposes, they shall be a body corporate, and are empowered to make contracts with municipalities, and other persons and corporations for and on behalf of said water district, for a water supply; to prosecute and defend suits against the same; to hire necessary employees. Each commissioner so appointed shall execute bond for the faithful performance of his duties in the penal sum of five thousand dollars, and shall be sworn to faithfully perform the duties of his position. Any vacancy in said position shall be filled by the county judge. Said commissioners shall possess other powers and rights, as usually pertain to corporations, or may be necessary for carrying on work under the provisions of this act. Said board shall have and use a corporate seal and shall have all powers necessary and usual in the premises.

§ 5. The commissioners shall have the power to establish water rates and to make reasonable rules and regulations for the disposition and consumption thereof, and to do all things necessary and incident to the operation and maintenance of a water system.

§ 6. Whenever a water supply line, or lines, or system has been constructed, and is in operation in any water district, established as herein provided, by any corporation or individual, or individuals, or public institution, and is supplying water to the citizens and landowners of any water district created as herein provided, and it is deemed expedient by the water district commissioners to acquire and purchase same, they may examine the same, and if they find same

properly designed and constructed they are hereby empowered to purchase same, and pay for same in the same manner, by assessment according to the benefits, as herein provided for the original construction and improvement, or may pay for same in whole or in part out of any surplus funds that may be in possession, receipt or anticipation of receipt by the water commissioners at their discretion. Said water district commissioners are hereby authorized and empowered to order any work or improvement they deem necessary by original construction or re-construction to extend the necessary water mains and water laterals in said district to supply water to the residents thereof, and pay for same by assessment against the land benefited according to benefits as herein provided or may pay for same in whole or in part out of the general fund of said water district realized from all other resources in said district.

§ 7. If it shall be necessary to acquire a right of way or land, and the same cannot be acquired by purchase, then and in that event the power of eminent domain is hereby conferred, and same may be condemned by the water district commissioners. Such owner or owners of land, sought to be condemned, shall be made parties to the proceeding, and the producers shall be substantially as provided at present for the condemnation of land for railroads, and such damage as may be awarded shall be paid by the board of water district commissioners out of the first funds available.

§ 8. The water district commissioners shall go over and inspect and examine the land, and lots, and real estate in said district which may be affected by the proposed water system improvement. A majority of said commissioners shall control and decide all questions. The commissioners shall classify the land, lots, real estate, and improved real estate in the district with reference to the benefit it will receive from the construction and operation of the water system and improvement. The land benefited shall be separated into five classes. The land receiving the highest benefit shall be marked "Class

A;" that receiving the next highest shall be marked "Class B," that receiving the next highest shall be marked "Class C;" that receiving the next highest benefit "Class D;" and that receiving the smallest benefit "Class E." All land actually receiving water shall in every instance be placed in the highest classification. The total number of acres or lots, or feet of land owned by any person in each class, and the extent benefited shall be determined. The total quantity of land in each class, in the entire district shall be obtained and presented in tabulated form. The scale of assessment to be made by the board of water district commissioners upon the several classes of land shall be in the ratio of five, four, three, two and one. That is to say, as often as five mills per acre shall be assessed against the land in "Class A," four mills per acre shall be assessed against the land in "Class B," three mills per acre in "Class C," two mills per acre in "Class D," and one mill per acre in "Class E." This shall form the basis of the assessment of benefits to the lands, and property for all purposes. Provided, however, that if by reason of existing conditions in any district the water commissioners shall believe that substantial injustice will be done any land owner, or land owners by strict conformity to the five class rule above, the classification may be so changed by diminishing or increasing the number of classes as to conform to such conditions. Said report shall contain a statement of the estimated cost of the work and improvement to be made in said district, and shall also contain a description of all lands, and property in said district, and the names of the owners thereof and said report shall also contain a statement of the estimated benefit that will accrue to each class of land, and property by reason of the construction of the proposed improvements.

§ 9. When the final report is completed and filed, it shall be examined by the court, and if it is found to be in due form, and in accordance with the law, it shall be accepted and if not in due form, it may be referred back to the commissioners

with instructions to secure further information, to be reported at a subsequent date to be fixed by the court. When the report is fully completed and accepted by the court, a date not less than twenty days thereafter shall be fixed by the court for the final hearing upon the report, and notice thereof shall be given by publication in one issue of a newspaper of general circulation in the county, if any, and ir none, by posting notices in three places in the proposed district. Publication is to be made at least two weeks before the final hearing. During the time, a copy of the report shall be on file in the office of the clerk of the county court in which said proceedings is pending, and shall be open to the inspection of any land owner or person interested within the district. Any land owner assessed therein may file exceptions to said report. The court upon final hearing shall confirm or reject same.

§ 10. After the classification of the land, and the ratio of assessment of the different classes to be made thereon has been confirmed by the court, the water commissioners shall prepare an assessment roll, giving a description of all the land in said water district, the name of the owner, so far as can be ascertained from the public records, and the amount of assessment against each of the several tracts of land. In preparing this assessment roll the board shall ascertain the total cost of the improvement, the cost of the proceedings and all wages paid or to be paid, and the total shall be the amount to be borne and paid by the lands benefited. This shall be assessed against the several tracts of land according to the benefits received, as shown by the classification and ratio of assessment made by the commissioners and confirmed by the court. Attached to this water assessment roll, or accompanying same, and filed with it, shall be a statement of the costs of the work to be done, and costs of the proceedings and wages, salaries, fees, including all fees due and to become due to the engineers and other agents, and all other costs and expenses of every kind, nature or description, and five per cent. in addition thereto to meet any unforeseen contingen-

cies. The water tax roll and statement of the costs of improvement attached thereto, shall be made in duplicate and shall be signed by the chairman and secretary of the board and the other copy shall be filed with the clerk of the county court in which the proceeding is pending, upon the filing of said copies of said assessment roll and the statement of costs thereto attached with the clerk, and the county clerk shall give at least ten days' notice of the time of the hearing on the assessment roll and statement of cost by publishing the notice thereof at least ten days before the time set for hearing, in some newspaper regularly published or circulated in said county in which the proceedings are pending, or if there be none, by posting notices in three public places in the district.

At the time fixed for the hearing, the court shall hear in a summary way, any and all objections to the amount of the cost of the said improvement, as set out in the statement made by the said water commissioners, and filed with the said assessment roll, and any and all objections to the assessments of lands therein set forth, and shall enter an order confirming the said assessment roll, or directing the commissioners to change the same in accordance with the finding of said court. The order of the court confirming or modifying said assessment roll and statement of costs shall be a final order and may be appealed from. Said court shall also direct the clerk of said court to certify to the treasurer of the water district commission a copy of the said assessment roll, as filed by the commissioners, or changed by the court, if it is so changed. One copy of the said assessment roll shall be retained by the clerk and recorded as part of the record. Said assessment roll shall constitute and be a first and paramount lien against the lands assessed, subject only to the lien for state and county taxes. Provided, however, that if after said assessment roll has been confirmed or modified by the court, the water commissioners are unable to furnish water to the owner or owners of any lands in said district or if the land in

any part of said water district so assessed is so sparsely populated that in the opinion of the water district commissioners, water could not be furnished and delivered to the owners thereof without incurring an oppressive and unreasonable burden of an additional assessment against said lands or an oppressive and unreasonable burden of indebtedness against said water district without receiving any corresponding return in the profits realized from the sale of water or service charges from the consumers of water in said territory, then and in that event said water district commissioners may strike said assessments on land not receiving water, from said assessment roll or may reduce said assessments in proportion to and to conform with the benefits, if any, received, and refund to the respective owners thereof any and all assessments collected thereon that have been stricken off, or reduced, as herein provided. After striking said assessments or any part thereof from the assessment roll the water district commissioners shall file a petition with the County Judge setting out the reasons why said assessments should be stricken off or reduced, together with a certified copy of the assessments so stricken off or reduced. The County Judge shall thereupon set the proceeding for a hearing and after giving at least ten days notice of the time of hearing as provided for at the hearing on the original assessment roll, the Court shall hear any and all objections to the order of the water district commissioners striking or reducing said assessment from the assessment roll and shall enter an order confirming the action of said commissioners or directing them to change the same in accordance with the finding of said Court. The order of the Court confirming or modifying the order of said Commissioners striking off or reducing said assessment shall be a final order and may be appealed from to the Circuit Court and from the Circuit Court to the Court of Appeals as appeals in civil cases are now taken. If any deficit is incurred by striking any of said assessments from the assessment roll or reducing same as herein provided so as to make same

insufficient to pay any bonded indebtedness of said water district, said deficit shall be paid out of the general fund of said water district realized from all other revenues collected or to be collected in said water district.

§ 11. Any landowner whose land is assessed for any improvement under the provisions of this law, may pay his assessment in full at any time within thirty days after the notice of assessment has been published as herein provided. At the end of thirty days the water commissioners are hereby empowered to issue bonds to pay any balance due on any improvement and water system, and in which event said board of commissioners shall give notice by publication in one issue of some newspaper of general circulation in the county or by posting three written or printed notices in the district in counties where lands assessed are located, that they propose to issue bonds for the construction and payment of said improvements, giving the amount of bonds to be issued, the rate of interest they are to bear and the time when payable.

§ 12. Each and every person owning land in the district, which is assessed for the construction of any improvement, who shall neglect or fail to pay the full amount of his assessment to the treasurer of the water commission within the time specified shall be deemed as consenting to the issuing of said water bonds. The term "person" as used in this act includes any person, firm, company or corporation.

§ 13. At the expiration of thirty days after the publication, the board of water commissioners may divide the unpaid assessments into annual installments, of not less than ten, which shall draw interest at the rate of not more than six per cent. per annum, payable annually, from thirty days after the date of publication, and may issue bonds to anticipate the collection thereof, which bonds shall mature in series to correspond with the said installments into which the unpaid assessments are divided, and which bonds shall draw interest at the rate of not more than six per cent. per annum, payable annually, and be payable at some place to be designated by

the board of water commissioners; the said bonds so issued shall be for the exclusive use and benefit of said water district and shall designate on the face the name of the said district and the purpose for which they were issued. The assessment and each installment thereof, shall constitute a first and paramount lien, second only to state, county and town taxes upon the lands assessed in said district, for the construction and payment and improvement of the work, ordered to be done therein, upon which the assessment has not been fully paid. The water commissioners, in dividing the unpaid assessment into installments, shall fix the time for the payment thereof in each respective year, and it shall be the duty of each landowner whose land is in lien for the payment of said bonds to pay the installments due thereon against his land with all interest due at that time on that installment and deferred installments, to the tr easurer of the water commissioners on or before the time fixed by the water commissioners for the maturity of the said installment. Upon the first Monday after said installment is due, the board of water commissioners shall meet and ascertain the party or parties whose installment is in default, if any, and shall within sixty days issue warrants directed to the sheriff or other collecting officer directing him forthwith to collect the same in default. Said sheriff or other collecting officer shall collect said installment with interest that is due on that and deferred installments together with a penalty of six per cent. thereon as State and county taxes are collected, and settle therefor with the said board of water commissioners within sixty days from the time the same were certified to him, and pay to said board the moneys so collected. And all lands upon which the said moneys due on said installment have not been collected at the end of said sixty days, the said sheriff shall forthwith advertise and sell in the same manner as is provided in the case of state and county taxes. The said sale so made shall be subject to the future installments of the said assessments, and at the expiration of ninety days from the date of the ori-

ginal certification of the installment to the said sheriff or other collecting officer, the said sheriff or other collecting officer shall make final settlement with said board of water commissioners and pay to them all moneys in his hands, and in default thereof said commissioners may compel the sheriff to make said settlement by rule against him issued by the county court in which said proceedings are pending, after giving him five days' notice thereof in writing. In case any land or lands be not purchased at said sale, the said sheriff or other collecting officer shall purchase said land or lands for said district and in his final settlement with said water commissioners shall take credit therefor. The sheriff or other collecting officer shall certify each of said sales to the county court clerk as required in the sale of lands for State and county taxes, and said clerk shall record such sale in a book kept by him. For collecting the assessments so certified to him the sheriff or other collecting officer shall be paid by the said water commissioners the same fees allowed him for collecting state and county taxes in the same manner; and for recording said certficate of sale the said clerk shall be allowed and paid the same fees allowed him by the law for similar work in reference to state and county taxes. The owner of such real estate, or his representatives, heirs or assigns, shall have the right to redeem said land from said sale as is now provided for the redemption of lands sold for state and county taxes, but only upon the same terms and conditions and within the same time as allowed in such case. Any sheriff or collecting officer who shall fail to settle and pay off any installment of assessment with interest as herein provided, within the time as herein provided shall be liable to the board of water commissioners for full amount so certified to him, with interest, which may be collected from the sheriff or other collecting officer by rule issued against him by the county court, in which the proceeding is pending, on notice of five days in writing previously given to him in reference thereto. The sheriff or other collecting officer shall be liable upon his

official bond for his acts done hereunder, and for the faithful performance of his duties prescribed herein.

§ 14. When said court has confirmed an assessment for the construction of any water system and such assessment has been modified by a court of superior jurisdiction, but for some unforeseen cause it can not be collected, the board of water commissioners shall have power to change or modify the assessment as originally confirmed to conform to the judgment of the court and to cover any deficit that may have been caused by the order of said court, or unforeseen occurrence. The said relevy shall be made for the additional sum required, in the same ratio on the land as the original assessment was made. And in any other case where, for cause, it is ascertained that the amount assessed against the property in the water district is not sufficient to complete the improvements provided for, such deficit may be paid out of current reserve or the county court shall, upon petition of the board of water commissioners, or any three or more petitioners, or upon their joint petition, setting forth the amount of the deficit, the causes thereof and the amount necessary to be raised in order to complete the work, and asking an additional assessment and levy therefor, giving notice of the filing and purpose of the petition and fixing a time, not less than ten nor more than twenty days from the giving of said notice, when said petition shall be acted upon. Said notice shall be published in at least one newspaper in circulation in the county, if any, and if none, by posting notices in three public places in the district, and such publication or notices shall, when so made, by the clerk of the court, be deemed sufficient and due notice of said proceedings to all parties affected thereby, and if upon hearing the court shall be of opinion that the additional assessments and levy asked for in the petition is necessary and ought to be made in order to complete said work, the court shall direct such assessment and relevy to be made by the commissioners of the water district, such additional assessment and relevy to be made in the same ratio on the

lands benefited as the original assessment was made and collected in the same way.

§ 15. The fees of officers for services rendered under this act shall be the same as fees now allowed by law for similar services in other cases. Such fees shall be taxed as a part of the costs. All of said costs shall be paid on the order of the court. The compensation allowed for services of the engineers, superintendent and other labor, shall be paid by order of the water commissioners out of the water fund. Fees or compensation for any service not herein otherwise fixed or provided for, shall be fixed and paid by the water commissioners. The treasurer of the water commission shall only pay out money on warrants drawn by the board, signed by its president, and countersigned by its secretary, except herein otherwise provided.

§ 16. The power of appointment under the provisions of this act shall carry with it the power of removal, for cause, after hearing, at any time in the discretion of the appointing authority, or his or their successors in office.

§ 17. The board of water commissioners shall keep, or cause to be kept, a true and correct account, as far as the same is practicable, of the time spent by engineers, superintendent and all other employees, and each item of expense incurred, upon or in connection with any water district, and charge the same to the district or system for which the same was done. Where the time or work is upon more than one district at the same time, it shall be apportioned between them. In the event any compensation fixed by the board for superintendent, secretary or other employee is on a salary basis, such salary shall be apportioned to the water district by the board, and in such manner as shall seem to them equitable.

§ 18. The aforesaid assessment roll, or tax book of the district as made up by the board of water commissioners shall be prima facie evidence in all courts that all steps necessary to be taken hereunder have been duly and properly taken, and

that all proceedings are regular and valid. The liens established and declared in preceding sections may be enforced by an action in the circuit court without regard to the amount of the claim at any time after January 1st, of the year for which said taxes were levied at which last named date all unpaid taxes shall become delinquent. The suit shall be brought by the board of water commissioners against the land or lands, property or properties on which such water tax has not been paid. The suit shall be brought in the county in which the property is situated. The pleadings, process, proceedings, practice, and sales, in cases arising under this section shall, except as herein provided, be the same as in actions for the enforcement of other liens, but the right to institute such actions shall in no wise prevent sales by the sheriff or collecting officer, as in cases of delinquent state and county revenue. In all suits said delinquent taxes and penalty shall also include all costs of suits, recovering the same as the delinquent tax and in the same suit. The proceedings of sales under and by virtue of this section shall be paid into the treasury of the district, and shall be accounted for by the treasurer.

The county attorney shall file and attend to all suits for collection of water assessments, as now provided by the law for collection of state and county taxes by him. He shall also be the legal advisor of said board of water commissioners. The water commissioners may make him an allowance, not to exceed five hundred dollars annually, for services, to be paid out of the water district fund.

§ 19. The water commissioners shall designate one of the commissioners to be treasurer. It shall be the duty of the treasurer of the water commission to pay any money in his hands, collected as aforesaid upon warrants signed by the president, and attested by the secretary of the board of water commissioners of the district when the same shall be presented for payment. As compensation for his services the treasurer shall receive such amount as may be fixed by the board of water commissioners, not to exceed two hundred dol-

lars. He shall execute bond to the commission in an amount to be fixed by the commission.

§ 20. The provisions of this act shall be liberally construed so as to carry into effect the true intent and meaning thereof. If any part of this act shall be declared illegal, it shall not affect the remaining part thereof. The collection of the assessment shall not be defeated where the parties are properly before the court, on account of any irregularity in the proceedings which does not affect the substantial right of the party complaining. Any party, or their privies properly before the court under Civil Code of Practice shall be deemed to be before the court for all purposes, and shall be bound by all orders, judgment and proceedings in the case not excepted to or appealed from, in the manner herein provided for. The remedies provided for are exclusive of all other remedies. If on appeal or otherwise, or for any cause, any person or property shall be released, or any assessment raised or lowered, it shall in no manner affect the rights or liabilities of any other property or person.

§ 21. The board of water commissioners may appoint a competent person as superintendent of water districts, who shall be subject to the orders of the board and who shall look after the improvements, established under this law. Such superintendent, with the approval and consent of the board of water commissioners, may employ such labor and assistance in the performance of his duties as may be necessary. All expenses incurred shall be reported by such superintendent, or other employee, to the board of water commissioners. His salary shall be fixed by the board, and shall be paid as other salaries herein provided for are paid.

§ 22. Upon the final reference to it by the court, of any water proceedings under this act, the said board shall cause notice in some newspaper published in the county wherein such improvement is located, if such there be, and such publication elsewhere as they may deem expedient, of the time and place of letting the work of construction of said improve-

ments and in such notice they shall specify the approximate amount of work to be done and the time fixed for the completion thereof; and on the date appointed for the letting they shall convene and let to the lowest responsible bidder either as a whole or in sections, as they may deem most advantageous for the district, and the proposed work. No bid shall be entertained that exceeds the estimated cost, except for good and satisfactory reasons, it shall be shown that the original estimate was erroneous. They shall have the right to reject any or all bids and advertise again the work, if in their judgment the interest of the district will be subserved by doing so. They may require each bidder to execute a bond or put up a certified check payable to the treasurer of the water district, in an amount to be fixed by them, as an evidence of good faith, that they will enter into a contract, if the successful bidder shall be required to enter into a contract with the board of water commissioners and to execute a bond for the faithful performance of such contract, with sufficient sureties, in favor of the board of water commissioners, for the use and benefit of the district in an amount equal to fifty per cent. of the estimated cost of the work awarded to him.

§ 23. The chief engineer in charge of construction shall make monthly estimates of the amount of work done, and furnish one copy to the contractor and file the other with the secretary of the board of water commissioners, and said board shall, within five days after the filing of such estimate, meet, and if they approve the estimate, shall direct the secretary to draw a warrant in favor of such contractor for eighty per cent. of the work done, according to the specifications and contract; and upon the presentation of such warrant, properly signed by the president and secretary, to the treasurer of the water fund, he shall pay the amount due thereon out of any funds in his hands, to the credit of that district. When the work is fully completed and accepted, he shall make an estimate for the whole amount due, including the amounts

withheld on the previous monthly estimates, which shall be paid from the water fund as herein provided.

§ 24. The board of water commissioners shall not include in any water district created and organized under this act any incorporated city or town but may contract with any city or town for the purpose of furnishing water to the residents thereof.

§ 25. Any county provided for by this act, may, by resolution of the fiscal court, pay any part of the costs of establishing, or creating, or purchasing a water line or water system as provided for herein.

§ 26. An act entitled "An act relating to the creation of water districts, etc.," approved March 27, 1926, and the amendment thereto approved March 20, 1928, is hereby repealed.

§ 27. Owing to the establishment of water districts under the provisions of said act and errors having been made in the assessment of property therein, not receiving benefits, an emergency is hereby declared to exist and this act shall take effect from and after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. A. Blackburn	John R. Buckman
E. S. Allison	D. C. Bradley	Lee Clark
U. G. Anderson	T. L. Britton	Bradley Combs
William B. Ardery	John Young Brown	Leonard Cook

W. W. Cooper	H. G. Handmaker	L. B. Murphy
Ben L. Cox	C. E. Houk	M. L. Napier
H. G. Crabtree	Grover C. Johnson	Caleb A. Page
William J. Curtis	J. Roy Johnson	Curtis F. Park
James R. Dorman	Theron M. Johnson	J. D. Patton
S. J. Douthitt	J. R. Johnston	James I. Peters
C. B. Dowling	M. F. Jordan	Dorsey Ratliff
W. C. Dugan	A. R. Kincheloe	Frank L. Strange
J. W. Edwards	Frank LeBus	H. L. Taylor
William A. Eimer	Martin Light	J. A. Thompson
Garland Embry	H. R. Marquette	C. B. Truesdell
Joseph B. Everhart	Joseph Martin	J. D. Via
Virgil Eversole	James A. May	J. E. Walters
Kelly J. Francis	Henry Meiman	L. M. Weathers
John B. Furlong	M. F. Moore	G. W. Wigginton
F. A. Gnau	B. T. Morris	Robert Williams
L. B. Hamilton	F. Tyler Munford	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 74. An Act to enable cities of the second class and third class in this Commonwealth to acquire land for aviation fields, and to establish and equip the same for air ports, and to use, operate and control the same for the benefit of such cities and the people thereof.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That any city of the second and third class in the state of Kentucky, be, and it is hereby authorized and empowered to acquire, either by leasing, purchase, gift, or condemnation in the same manner as park property is acquired, any and all land necessary or suitable for establishing aviation fields and air ports in such cities or in the county in which such city is situated and is further authorized and empowered to erect, equip, operate and maintain on such land such buildings, equipment, runways and other furnishings that may be necessary or proper for the establishment and maintenance of such aviation fields and air ports. Such cities, for the purpose of the purchase of said aviation fields and the equipment thereof and the establishment of same as air ports and the other matters and purposes provided herein, may expend out of any funds in their hands such money as may be necessary, and may maintain same out of their funds to the extent that they are authorized to maintain any other public parks in such cities, and said aviation fields and air ports are authorized as public parks of such cities.

§ 2. Said cities are authorized to make all necessary rules and regulations and to enforce the same for the use of said fields and the safety of same as aviation fields, and may deny to anyone not a regular licensed pilot, or student under a licensed pilot, the right to use same. And may further establish such rates, charges or fees for the use of said fields and the premises and equipment connected therewith as they may deem best, and to make such rates different for the different classes of aircrafts. Said air fields shall be policed as other park property is now policed in such cities, or as may be determined by such cities and the governmental authority of said cities is hereby extended to any and all such air ports either within or without the limits of such cities.

§ 3. Said cities may enter into contracts or agreements for the use of said fields and air ports for aviation purposes

with the United States government, or any agency thereof, or any state government or any agency thereof, or any board of aviation established under any act of the Congress of the United States, or of the General Assembly of this Commonwealth, or of any other Commonwealth, or any other individual, firm, corporation or association; provided, however, that at no time shall such cities in any way enter into contracts or agreements that prevent the carrying out of the main purposes of this enabling act in the establishment and maintenance of public municipal aviation fields and air ports for the general use of the citizens of said cities for park purposes.

§ 4. All moneys derived from the use of the fields, equipment, or privileges in connection therewith shall be first applied to the maintenance thereof, and said cities are authorized to expend out of the general fund any further amount that may be necessary to the same extent and in the same manner as is permitted for any other park property.

§ 5. Said cities shall have power and authority to keep on hands at all times, subject to the rules and regulations in reference to safety thereof, such quantities of gasoline and oil as may be necessary for the fueling and re-fueling of any aircraft, and may sell same at prevailing prices to any aviator or other persons using such aviation fields or air ports.

§ 6. All of the powers and authority in reference to the management, control and operation of said aviation fields and air ports are hereby vested in the governing authorities of such cities.

§ 7. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Russell O. Miller
U. G. Anderson	Garland Embry	M. F. Moore
S. A. Blackburn	Virgil Eversole	F. Tyler Munford
T. L. Britton	Kelly J. Francis	H. L. Nickell
John Young Brown	John B. Furlong	Caleb A. Page
John R. Buckman	F. A. Gnau	Curtis F. Park
James A. Campbell	L. B. Hamilton	J. D. Patton
Lee Clark	H. G. Handmaker	James I. Peters
Bradley Combs	Rev. B. L. Hargrove	W. E. Randall
Elmer Cook	C. E. Houk	Dorsey Ratliff
Leonard Cook	R. L. Jackson	D. O. Stanley
W. W. Cooper	Grover C. Johnson	Frank L. Strange
Ben L. Cox	J. Roy Johnson	E. J. Thomas
Winn Davis	M. F. Jordan	J. A. Thompson
E. C. Dennington	Frank LeBus	C. B. Truesdell
James R. Dorman	Martin Light	H. Speed Tye
S. J. Douthitt	Fred V. Lucas	J. D. Via
W. C. Dugan	James A. May	G. W. Wigginton
J. W. Edwards	Henry Meiman	Robert Williams

—57

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Rules Committee the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 4. An Act repealing and re-enacting section 907b-4, Supplement Carroll's Kentucky Statutes, 1928, being Section Four of Chapter seventy-five of the Acts of the General Assembly relating to the office of Purchasing Agent in counties containing a city of the first class.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 907b-4, Supplement Carroll's Kentucky Statutes 1928, being section four of Chapter seventy-five of the Acts of the General Assembly, relating to the office of Purchasing Agent in counties containing a city of the first class, be and the same is hereby repealed and re-enacted, so that the said section when thus repealed and re-enacted shall read as follows:

Section 907b-4; Salary--Said purchasing agent shall be paid for his services at the rate of three thousand dollars ($3,000) per annum, to be paid in equal monthly installments out of the county fund.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. A. Blackburn	John Young Brown
E. S. Allison	D. C. Bradley	John R. Buckman
U. G. Anderson	T. L. Britton	Dr. R. A. Byers

James A. Campbell	John B. Furlong	Henry Meiman
Lee Clark	F. A. Gnau	M. F. Moore
Bradley Combs	L. B. Hamilton	B. T. Morris
Leonard Cook	H. G. Handmaker	F. Tyler Munford
W. W. Cooper	Rev. B. L. Hargrove	L. B. Murphy
Ben L. Cox	C. E. Houk	H. L. Nickell
H. G. Crabtree	R. L. Jackson	Curtis F. Park
G. Cunningham	Grover C. Johnson	J. D. Patton
Winn Davis	J. Roy Johnson	Dorsey Ratliff
E. C. Dennington	Theron M. Johnson	Denny P. Smith
James R. Dorman	J. R. Johnston	D. O. Stanley
S. J. Douthitt	M. F. Jordan	Frank L. Strange
W. C. Dugan	Frank LeBus	Thomas H. Troxel
J. W. Edwards	Martin Light	C. B. Truesdell
William A. Eimer	Joseph Martin	L. M. Weathers
Virgil Eversole	James A. May	G. W. Wigginton
Kelly J. Francis	T. R. McRoberts	Robert Williams

—60

There voted in the negative—

James I. Peters —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 380. An Act authorizing the Sinking Fund Commission to repair the basement and first floor of the Old Executive Building on the Old Capitol Grounds in North Frank-

fort, and to build a second floor, and prepare it for office purposes; to appropriate for that purpose the sum of forty-eight thousand three hundred and two dollars and six cents ($48,302.06) being the balance of proceeds of money collected of insurance companies for damages done said building by fire which occurred on the 23rd day of February, 1929; and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Sinking Fund Commission is hereby directed and it is made its duty to repair the basement and first floor of the Old Executive Building on the Old Capitol Grounds in North Frankfort, Kentucky, and construct a second floor thereon for office purposes; and said Commission is directed to let the contract for construction and necessary material to the lowest and best bidder, after having advertised the time and place for receiving sealed bids at least ten (10) days. The Commission will employ an architect to make the plans and specifications, and said plans and specifications shall be available for inspection to all persons who may desire to bid. The successful bidder shall execute bond in the name of the Commonwealth of Kentucky, in the sum of eighty (80%) per cent of the contract price for the faithful performance of the contract, and the Commission will retain ten (10%) per cent of the estimate of the work done until the contract is completed and the building received by the Commission.

§ 2. The Commission will cause from time to time a statement of the amount of work done and material furnished to be made by the contractor, and on the tenth (10th) day of each month after the work is begun the Sinking Fund Commission may make requisition upon the Auditor in favor of the contractor or sub-contractor for the amount of the labor performed or material bought, less ten per cent, as provided

above. The Commission shall require of the contractor every thirty (30) days a statement in writing of all materials bought and the names and addresses of such laborers and the amounts due each.

§ 3. The Commission is authorized to employ a Superintendent to inspect materials bought and the labor performed, and said Superintendent shall have the authority to inspect materials bought for the use of the building and go upon the premises and inspect the labor done.

§ 4. There is hereby appropriated out of the funds now in the Treasury, which represent part of the proceeds paid by fire insurance companies as damages done said building by fire, not in excess of the sum of forty-eight thousand three hundred and two dollars and six cents ($48,302.06), for the purpose of having the building repaired and to do such work of construction as is provided for in this act.

§ 5. The Old Executive Building was used as an office building for officers and employees of the State at the time of the fire, and since said time the Commonwealth has been compelled to rent offices for some of its departments and is now paying rent for them, and in order to save the State rent, an emergency is hereby declared to exist and this bill shall become a law upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	H. L. Nickell
E. S. Allison	William A. Eimer	Curtis F. Park
U. G. Anderson	Garland Embry	J. D. Patton
D. C. Bradley	Kelly J. Francis	James I. Peters
T. L. Britton	John B. Furlong	W. E. Randall
John Young Brown	F. A. Gnau	Dorsey Ratliff
John R. Buckman	H. G. Handmaker	Denny P. Smith
Dr. R. A. Byers	Rev. B. L. Hargrove	D. O. Stanley
James A. Campbell	R. L. Jackson	Frank L. Strange
Lee Clark	Grover C. Johnson	H. L. Taylor
Bradley Combs	Theron M. Johnson	J. A. Thompson
W. W. Cooper	J. R. Johnston	Thomas H. Troxel
Ben L. Cox	M. F. Jordan	H. Speed Tye
H. G. Crabtree	John B. Klefot	J. E. Walters
Winn Davis	Martin Light	L. M. Weathers
E. C. Dennington	H. R. Marquette	G. W. Wigginton
S. J. Douthitt	Joseph Martin	Robert Williams
C. B. Dowling	James A. May	
W. C. Dugan	Henry Meiman	—55

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 108. An Act authorizing the State Board of Charities and Corrections to employ necessary guards for the penitentiaries under the management and control of said Board, and to fix the annual salaries of said guards at the rate of $1,500.00 each to be paid monthly in twelve equal installments, and to increase the salaries of lady attendants in asylums to $45.00 for minimum and $50.00 maximum.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Board of Charities and Corrections is hereby authorized to employ necessary guards for the management, control and protection of the inmates of the penitentiaries, and the compensation of such guards shall be an annual salary of $1,500 each, and the salaries of lady attendants in State Asylums on wards of female inmates be increased to minimum of $45.00 and maximum of $50.00 per month, to be paid monthly in twelve equal installments.

§ 2. The salaries of the guards in the penitentiaries are now fixed by the State Board of Charities and Corrections at the rate of $100.00 per month for each guard; that said compensation is inadequate on account of high cost of living; that persons so employed as guards are unable to accumulate any money; and that an emergency is declared to exist, and this act shall become operative upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John R. Buckman	Elmer Cook
U. G. Anderson	Dr. R. A. Byers	Leonard Cook
D. C. Bradley	James A. Campbell	W. W. Cooper
T. L. Britton	Lee Clark	Ben L. Cox
John Young Brown	Bradley Combs	H. G. Crabtree

Winn Davis	R. L. Jackson	J. D. Patton
E. C. Dennington	Grover C. Johnson	Dorsey Ratliff
James R. Dorman	Theron M. Johnson	Denny P. Smith
S. J. Douthitt	J. R. Johnston	D. O. Stanley
C. B. Dowling	M. F. Jordan	Frank L. Strange
W. C. Dugan	John B. Klefot	H. L. Taylor
J. W. Edwards	Martin Light	J. A. Thompson
William A. Eimer	H. R. Marquette	Thomas H. Troxel
Garland Embry	Joseph Martin	C. B. Truesdell
Kelly J. Francis	James A. May	H. Speed Tye
John B. Furlong	T. R. McRoberts	J. D. Via
F. A. Gnau	Henry Meiman	J. E. Walters
L. B. Hamilton	B. T. Morris	L. M. Weathers
H. G. Handmaker	F. Tyler Munford	G. W. Wigginton
Rev. B. L. Hargrove	H. L. Nickell	Robert Williams
C. E. Houk	Curtis F. Park	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Dorman of Rules Committee reported bills and resolutions of the following titles, viz.:

H. B. 311. An Act to amend and re-enact Section 3096 of the Kentucky Statutes, Carroll's Edition 1922, relating to improvement of public ways, costs, penalty, assessments of street railway, and street intersections.

H. B. 627. An Act to amend and re-enact Section 106a-1 and 1064a-4, Baldwin's Supplement to Kentucky Statutes, 1928 edition, relating to stenographers or clerks and fixing compensation therefor.

H. B. 723. Repealing 3783 of the Kentucky Statutes as amended March 23, 1920, Chapter 80, page 376, and as further amended March 22, 1922.

H. B. 618. An Act authorizing cities of the second class to repair or replace sidewalks or to connect downspouts or run same to the gutter and order repairs to sanitary sewers, etc.

S. B. 367. An Act amending Section 2739j-30 Kentucky Statutes, Baldwin's 1926 Kentucky Statutes Service, being Section 30 of Chapter 112 of Acts of 1926.

S. B. 323. An Act to establish as a part of the primary system of state highways a road leading from Columbia in Adair county.

S. B. 379. An Act to amend and re-enact Section 911, Kentucky Statutes, 1930 edition, being Chapter 157 of the Acts of the General Assembly of 1928.

S. B. 417. An Act to provide for the manufacture of license plates or tags for motor vehicles, etc.

S. B. 267. An Act to repeal an Act entitled "An Act for the establishment and maintenance at each of the State Hospitals for the Insane in Kentucky a training school for nurses."

S. B. 444. An Act relating to the adoption of Text Books in this Commonwealth and providing that not more than 33 1/3% of the Basal Text Books heretofore adopted.

S. B. 79. An Act to repeal Chapter 42 of the Acts of the 1924 Legislature and enact in lieu thereof an act requiring the State Librarian to and directing him to furnish to the Law Library of the University.

H. Res. 52. Joint Resolution of the General Assembly of Kentucky whereas there are now pending before Congress two bills designated as H. R. 8000 and S. B. 3078 to provide for this designation, etc.

S. Res. 16. Resolution permitting Pan-American Bridge Company to sue Commonwealth.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed in the Calender.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 572. An Act relating to registration of motor vehicles, providing penalty for operation such vehicle without registration, prescribing duties of the Clerk, etc.

H. Res. 32. Resolution to permit W. D. Sutton and A. S. Turner to sue the Commonwealth.

S. B. 102. An Act relating to dogs and livestock.

H. B. 772. An Act making an appropriation to beautify the grounds of the Jefferson Davis Memorial Park.

H. B. 771. An Act appropriating $2,914.83 to the Kentucky State Park Commission for purpose of paying indebtedness.

S. B. 384. An Act to amend chapter 29 of the Acts of 1924, changing the time for holding court in the 31st Judicial District.

Ordered that said bills and resolution be read the second time.

The Constitutional provision as to the second reading of said bills and resolution at length being dispensed with, said bills and resolution were read the second time by their title only.

Ordered that said bills and resolution be placed in the Orders of the Day.

A message was received from the Senate announcing that they had passed bills which originated in that body entitled:

S. B. 109. An Act making it the duty of the State Inspector and Examiner to inspect and examine the office of the sheriff, county attorney, etc.

S. B. 361. An Act appropriating Five Thousand Dollars for the benefit of blind persons who will be maintained at the Kentucky Farm for the Blind now owned by Clifford B. Martin.

S. B. 382. An Act to amend and re-enact Sec. 210 Kentucky Statutes.

S. B. 416. An Act to amend Sec. 4379 of Art. 3 of Baldwin's Kentucky Statutes, 1922 Edition, relating to common schools and specifically relating to a quorum of the State Board of Education.

S. B. 425. An Act concerning and providing for the closing, discontinuing and condemning of streets, alleys, and other public ways in cities of the first class.

S. B. 431. An Act relating to county patrolmen.

S. B. 435. An Act authorizing refund of motor vehicle license in event such motor vehicle is destroyed by fire or accident.

S. B. 440. An Act increasing and fixing the salaries of first assistant Commonwealth's Attorney and second assistant Commonwealth's Attorney in counties having a population of two hundred thousand or over.

S. B. 441. An Act amending Sec. 1851-7 of Carroll's Kentucky Statutes, 1922 Edition.

S. B. 445. An Act to amend and re-enact Sec. 612a, Kentucky Statutes, Carroll's 1922 Edition, relating to combined banks and trust companies.

Ordered that said bills be printed and referred to Committee on Rules.

And that they had passed bills and resolutions which originated in this House entitled:

H. Res. 23. Resolution authorizing Claude Henderson by his statutory guardian or next friend to sue the Commonwealth of Kentucky.

H. Res. 31. Resolution appointing a Public Utilities Commission.

H. Res. 33. Resolution providing for the payment of money to Mrs. Alice Allnut.

H. B. 104. An Act authorizing the Clerk of the Court of Appeals to appoint from among his deputies, with the assent of the Court of Appeals, an Assistant Clerk of the Court of Appeals.

H. B. 144. An Act providing for the service of process in civil suits on non-resident operators, or non-resident owners of motor vehicles operated within the Commonwealth of Kentucky.

H. B. 237. An Act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens and fixing the clerk's fees.

H. B. 409. An Act to amend and re-enact Section 938k-2 Kentucky Statutes, as compiled in Carroll's Kentucky Statutes.

H. B. 433. An Act regulating the time for a six-year old child to enter school.

H. B. 580. An Act to amend and re-enact Section 18, Chapter 28, of the Acts of 1916, relating to assessment fire insurance companies, requiring their, business, etc.

H. B. 485. An Act amending Chapter 104 of the Acts of the General Assembly of 1928, same being Section 2739f-5, Baldwin's 1928 Supplement to the Kentucky Statutes.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

Mr. Dorman of Rules Committee moved that when the House adjourn today, it be to meet again Monday, March 17, at one clock p. m.

Said motion was agreed to.

Mr. J. Y. Brown moved that the House do now adjourn to convene Monday at 1 p. m.

Said motion was agreed to.

And then the House adjourned.

MONDAY, MARCH 17, 1930.

The House was opened with prayer by the Reverend James E. Savage of the Methodist Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
Thomas Dunn
J. W. Edwards
William A. Eimer
Garland Embry
J. O. Evans
Joseph B. Everhart
Virgil Eversole
Kelly J. Francis
John B. Furlong
Ralph Gilbert
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Frank LeBus
Martin Light
Fred V. Lucas
H. R. Marquette
B. K. Marshall, Jr.
Joseph Martin
James A. May
Geo. R. McIntosh
T. R. McRoberts
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
F. Tyler Munford
L. B. Murphy
M. L. Napier
H. L. Nickell
Fred A. Nolte
Curtis F. Park
J. D. Patton
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
Denny P. Smith
D. O. Stanley
Frank L. Strange
Elmer J. Terry
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
Speed H. Tye
Dr. Vallandingham
J. E. Walters
L. M. Weathers
G. W. Wigginton
Robert Williams

Mr. Dorman of the Rules Committee moved that the reading of the Journal of Friday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 736. An Act to amend and re-enact Section 2242 Carroll's Kentucky Statutes, sixth (6th) Edition, 1922, relating to time Jury Commissioners may remain in session; compensation; reconvening; not to be appointed succeeding year.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2242 of Carroll's 1922 Edition of the Kentucky Statutes, Baldwin's 1928 Supplement, be amended, and re-enacted so that when amended and re-enacted it will read as follows, to-wit:

The jury commissioners shall remain in session not longer than five (5) days, except that in counties having a population of over fifty (50) thousand, they may remain in session ten (10) days, and shall each receive for his services five ($5.00) dollars per day for the time actually engaged, the claim for which shall be certified by the judge appointing him and paid by the state treasurer upon the voucher of the auditor of the state. Provided, however, that in counties

containing a city of the first class the board of magistrates or the fiscal court of any such county may supplement the compensation of the commissioners as paid by the state by allowing and paying to each of said commissioners not exceeding six ($6.00) dollars per day for the time actually engaged, the whole compensation received by any commissioner not to exceed the sum of sixty ($60.00) dollars in any one year. If, for any cause, either of the persons selected as a commissioner can not serve, or having commenced can not complete his labors, the judge appointing him may appoint another person of like qualifications in his place. If, at any time it becomes apparent to the judge of any court that the names in the drum wheel case for said court will be exhausted before next annual selection of commissioners, the judge, by an order entered of record, shall reconvene the commissioners, who shall select and place in said drum or wheel case, as hereinbefore provided, the number of names of qualified grand and petit jurors stated in the order of the judge reconvening them, and the judge may, if he deem it necessary, require by an order of the court, the attendance of one of said commissioners at the time that the judge shall make up the list of juries for his court, as hereinafter provided, neither of them shall be appointed for the next year.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Kelly J. Francis	L. B. Murphy
W. O. Baxter	L. B. Hamilton	M. L. Napier
S. A. Blackburn	H. G. Handmaker	H. L. Nickell
John Young Brown	Rev. B. L. Hargrove	Fred A. Nolte
John R. Buckman	J. F. Harrison	Caleb A. Page
Dr. R. A. Byers	R. L. Jackson	Curtis F. Park
James A. Campbell	Grover C. Johnson	J. D. Patton
Lee Clark	J. Roy Johnson	John H. Pickett
Bradley Combs	M. F. Jordan	John W. Preston
Leonard Cook	A. R. Kincheloe	W. E. Randall
W. W. Cooper	Fred V. Lucas	Dorsey Ratliff
Ben L. Cox	H. R. Marquette	Denny P. Smith
H. G. Crabtree	Joseph Martin	D. O. Stanley
J. J. Davis	James A. May	H. L. Taylor
James R. Dorman	Geo. R. McIntosh	Elmer J. Terry
S. J. Douthitt	T. R. McRoberts	E. J. Thomas
C. B. Dowling	Henry Meiman	Thomas H. Troxel
W. C. Dugan	Harry J. Meyers	C. B. Truesdell
Thomas Dunn	Clarence Miller	H. Speed Tye
William A. Eimer	M. F. Moore	Dr. Vallandingham
Garland Embry	B. T. Morris	G. W. Wigginton
Joseph B. Everhart	F. Tyler Munford	Robert Williams

—66

Those who voted in the negative were—

J. Watt Brown	J. O. Evans	J. A. Thompson
E. C. Dennington	Martin Light	

—5

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 275. An Act to regulate the sale, delivery, exchange, possession and disposition of bakery products and to provide a penalty for the violation of this act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The sale and delivery of bakery products shall be so conducted as to prevent the distribution of contamination, infection or disease among consumers and to protect the food supply of the state against waste.

For the purpose of this section the term "person" shall mean and include any and all persons, firms or corporations engaged in the business of manufacturing, buying, selling or dealing in bakery products within the State. The term "bakery products" shall mean and include bread, rolls, crackers, cakes, pies or any other food products of which flour or meal is the principal ingredient. The term "delivered" shall include the placing of bakery products into any store or upon the premises or in the custody of any person.

No person, or the servant or agent of any person, shall directly or indirectly return or accept the return or exchange of any bakery products that have been delivered or received for the purpose of sale, nor shall any consideration be given by any person in lieu of the return or exchange of such bakery products. The provisions of this subsection shall not prevent the return or exchange by any person of bakery products having marked defects as to preparation or quality that would cause persons desiring to purchase such articles of average quality to reject such defective articles, nor shall it prevent the giving of any consideration in lieu of an exchange of such defective bakery products.

The delivery, keeping on the premists for sale or storing of bakery products in containers or under conditions which do not protect them against contamination, dust, vermin, insects, animals at large or other means, is prohibited.

It shall be unlawful for any person to wilfully destroy any bakery products that are fit for human or animal consumption, by burning them or in any way deliberately causing them to become unfit for food.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $25.00, nor more than $100.00, or by imprisonment in the county jail not to exceed 30 days, or both so fined and imprisoned.

It shall be the duty of the health officers of this State to enforce the provisions of this section.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Ben L. Cox	H. G. Handmaker
U. G. Anderson	H. G. Crabtree	Rev. B. L. Hargrove
W. O. Baxter	William J. Curtis	C. E. Houk
S. A. Blackburn	J. J. Davis	R. L. Jackson
T. L. Britton	Winn Davis	Grover C. Johnson
John Young Brown	E. C. Dennington	J. Roy Johnson
J. Watt Brown	S. J. Douthitt	Theron M. Johnson
John R. Buckman	W. C. Dugan	J. R. Johnston
Dr. R. A. Byers	Thomas Dunn	M. F. Jordan
James A. Campbell	William A. Eimer	A. R. Kincheloe
Lee Clark	Garland Embry	Martin Light
Bradley Combs	Joseph B. Everhart	B. K. Marshall, Jr.
Leonard Cook	Kelly J. Francis	Joseph Martin
W. W. Cooper	John B. Furlong	James A. May

T. R. McRoberts	Fred A. Nolte	Elmer J. Terry
Henry Meiman	Curtis F. Park	C. B. Truesdell
Harry J. Meyers	J. D. Patton	Dr. Vallandingham
Clarence Miller	John H. Pickett	J. E. Walters
M. F. Moore	John W. Preston	G. W. Wigginton
L. B. Murphy	Denny P. Smith	Robert Williams
H. L. Nickell	H. L. Taylor	—62

Those who voted in the negative were—

F. A. Gnau	Thomas H. Troxel	H. Speed Tye
Geo. R. McIntosh		—4

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Klefot offered the following resolution, viz.:

WHEREAS, the Honorable James P. Whelan of Louisville, Kentucky, has been called to his last reward; and

WHEREAS, he was one of the outstanding men of Kentucky, his lifelong acts of charity and good citizenship ever extending its influence to all sections of our state; and

WHEREAS, his loss falls so heavily, not only upon his bereaved and beloved family and great hosts of friends, but upon the people of our entire Commonwealth, therefore

BE IT RESOLVED: That the House of Representatives hereby express its condolence and profound sympathy for the family, realizing and acknowledging the great loss to the state of one of its grand, old characters;

BE IT FURTHER RESOLVED, That a copy of this resolution be spread upon the Journal and a copy mailed to the family.

Said resolution was adopted.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 390. An Act to provide for the submission to the voters of the State for their ratification or rejection a proposed amendment to the Constitution of the Commonwealth of Kentucky, abolishing The Railroad Commission, and authorizing the General Assembly to transfer and vest in a board or commission to be created by Act of the General Assembly for the regulation and control of public utilities operating and doing business within this Commonwealth, all of the powers and duties now vested in the Railroad Commission by this Constitution and by law, for as and when such proposed amendment shall become effective, and further conferring upon the General Assembly power to revise, alter, modify or amend any or all of the powers now conferred by the Constitution upon the Railroad Commission.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Upon concurrence of three-fifths of all the members elected to each house of the General Assembly, now sitting in regular session, the ayes and nays of the members of each house being taken thereon and entered in full in their respective journals, the following amendment to the Constitution of the Commonwealth of Kentucky is hereby submitted to the voters of the State for their ratification or rejection at the next general election for members of the house of representatives in pursuance of section 256 of the Constitution of the Commonwealth of Kentucky.

AMENDMENT NUMBER ——

The Railroad Commission heretofore established by section 209 of this Constitution is hereby abolished. The General Assembly is hereby authorized to transfer and vest in a board or commission to be created by law, for the regulation and control of public utilities operating and doing business within this Commonwealth, all of the powers conferred and all of the duties imposed, by this Constitution and by law, upon such board or commission, if as and when, this amendment shall become effective. It shall be within the province of the General Assembly to repeal, revise, alter, modify or amend any or all of the powers and duties heretofore conferred or imposed by this Constitution upon The Railroad Commission.

§ 2. The foregoing proposed amendment shall be submitted to the voters of the State at the time and in the manner provided for under section 256 of the Constitution and under section 1459 of the Kentucky Statutes, Carroll's 1922 edition.

Mr. Klefot moved that said bill be laid on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 763. An Act amending Sec. 138 Kentucky Statutes, Carroll's 1930 Edition, Baldwin's Revision, being an Act relating to the salary of the Auditor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 138, Kentucky Statutes, Carroll's 1930 Edition, Baldwin's Revision, be and the same is hereby

amended so that said Section as amended shall read as follows:

Term of office; bond; assistant; salaries:

The Auditor shall enter upon the duties of his office on the First Monday in January next succeeding his election; he shall, on or before that day, take the oath of office, and execute bond to the Commonwealth, with sureties, worth at the time, jointly and severally, two hundred thousand dollars, to be approved by the governor and filed in the office of the secretary of state, conditioned for the faithful discharge of the duties of his office. He shall receive an annual salary of forty-five hundred dollars, payable monthly at the treasury, upon the requisition of the governor, in lieu of all other fees and compensation. He shall have power to appoint one assistant, whose salary shall be fixed by the audtior, said salary shall not exceed the sum of thirty-five hundred dollars per annum.

§ 2. All acts and parts of acts in conflict herewith to the extent of such conflict are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

L. S. Allison	Ben L. Cox	Thomas Dunn
U. G. Anderson	H. G. Crabtree	J. W. Edwards
William B. Ardery	Winn Davis	William A. Eimer
D. C. Bradley	E. C. Dennington	Kelly J. Francis
John R. Buckman	S. J. Douthitt	F. A. Gnau
Bradley Combs	C. B. Dowling	H. G. Handmaker
Elmer Cook	W. C. Dugan	Robt. L. Horn

C. E. Houk	B. K. Marshall, Jr.	Harry J. Meyers
Grover C. Johnson	Joseph Martin	M. L. Napier
John B. Klefot	James A. May	John H. Pickett
Martin Light	Henry Meiman	E. J. Thomas

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Those who voted in the negative were—

W. O. Baxter	J. F. Harrison	James I. Peters
T. L. Britton	R. L. Jackson	John W. Preston
John Young Brown	J. Roy Johnson	W. E. Randall
Dr. R. A. Byers	Theron M. Johnson	Dorsey Ratliff
James A. Campbell	J. R. Johnston	Denny P. Smith
Lee Clark	M. F. Jordan	D. O. Stanley
Leonard Cook	H. R. Marquette	Frank L. Strange
W. W. Cooper	T. R. McRoberts	J. A. Thompson
William J. Curtis	M. F. Moore	Thomas H. Troxel
J. J. Davis	F. Tyler Munford	Dr. Vallandingham
Garland Embry	H. L. Nickell	J. D. Via
J. O. Evans	Fred A. Nolte	J. E. Walters
John B. Furlong	Caleb A. Page	L. M. Weathers
Ralph Gilbert	Curtis F. Park	G. W. Wigginton
L. B. Hamilton	J. D. Patton	Robert Williams

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Mr. Via moved that the vote by which said bill was rejected be reconsidered and that said bill be laid on the Clerk's desk.

Said motion was disagreed to.

Mr. Wiggington moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Via moved that James Morris Weathers, son of Representative Weathers, be appointed Honorary Page of this House.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 301. An Act defining a dangerous caustic or corrosive substance, providing for the proper branding or labeling of same, and providing penalty for violations thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That in this act, unless the context or subject-matter otherwise requires,

A. The term "dangerous Caustic or Corrosive substance" means any acid or alkali whether free or combined which might be destructive to human tissues whether applied locally or taken internally and especially the substances named below.

(a) Hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid in a concentration of ten per centum or more: (b) Sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid in a concentration of ten per centum or more; (c) Nitric acid or any preparation containing free or chemically unneutralized nitric acid in a concentration of five per centum or more; (d) Carbolic acid, otherwise known as phenol, and any preparation containing carbolic acid in a concentration of five per centum or more; (e) Oxalic acid and any preparation containing free or chemically unneutralized oxalic acid, in a concentration of ten per centum or more; (f) Any salt of oxalic acid and any preparation containing any such salt in a concentration of ten per centum or more; (g) Acetic acid or any preparation containing free or chemically

unneutralized acetic acid in a concentration of twenty per centum or more; (h) Hypochlorous acid, either free or combined, and any preparation containing the same in a concentration so as to yield ten per centum or more by weight of available chlorine, excluding calx chlorinta, bleeching powder and chloride of lime; (i) Potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide, including caustic potash and vienna paste, in a concentration of ten per centum or more; (j) Sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide, including caustic soda and lye, in a concentration of ten per centum or more; (k) Silver nitrate, sometimes known as luna caustic, and any preparation containing silver nitrate in a concentration of five per centum or more, (l) Ammonia water and any preparation yielding free or chemically uncombined ammonia, including ammounium hydroxide and "hartshorn," in a concentration of five per centum or more.

B. The term "Misbranded Parcel, package, or container" means a retail parcel, package, or container of any dangerous caustic or corrosive substance for household use, not bearing a conspicuous, easily legible label or sticker, containing (a) the name of the article; (b) the name and place of business of the manufacturer, packer, seller, or distributor; (c) the word "POISON" running parallel with the main body of reading matter on said label or sticker, on a clear plain background of a distinctly contrasting color, in uncondensed Gothic capital letters, the letters to be not less than 24 point size, unless there is on said label or sticker no other type so large, in which event the type shall be not smaller than the largest type on the label or sticker and (d) directions for treatment in case of accidental personal injury by the dangerous caustic or corrosive substance.

§ 2. Any person who shall sell, barter, or exchange, or receive, hold, pack, display, or offer for sale, barter or exchange in the Commonwealth of Kentucky, any dangerous

caustic or corrosive substance in a misbranded parcel, package or container, said parcel, package or container being designed for household use, shall be guilty of a misdemeanor and upon conviction thereof be punished by a fine of not less than Twenty Dollars nor more than One Hundred Dollars, or by imprisonment for not less than ten days, nor more than sixty days, or by both such fine and imprisonment, in the discretion of the court.

§ 3. Upon the conviction of the person or persons for violation of Section 2, of this act, the caustic or corrosive substance so seized shall be adjudged contraband by the court trying the offender and disposed of as the court shall order.

§ 4. The State Board of Health shall aid in the enforcement of the provisions of this act, and it is hereby authorized and empowered to approve and register such brands and labels intended for use under the provisions of this act as may be submitted to it for that purpose and as may in its judgment conform to the requirements of this Statute; Provided, however, that in any prosecution under this act the fact that any brand or label involved in said prosecution has not been submitted to said State Board of Health for approval, or if submitted, has not been approved by it, shall be immaterial.

§ 5. Every Commonwealth's Attorney or County Attorney or other prosecuting officer to whom there is presented, or who in any way procures, satisfactory evidence of any violation of the provisions of this act shall cause appropriate proceedings to be commenced and prosecuted in the proper courts, without delay, for the enforcement of the penalties as in such cases herein provided.

§ 6. This act may be cited as the "Kentucky Caustic Alkali or Acid Act of 1930."

§ 7. Nothing in this act shall be construed to apply to the sale of drugs and chemicals by a licensed pharmacist or physician.

§ 8. All acts or parts of acts in conflict with this act are hereby repealed.

§ 9. This act shall be in effect from and after its passage.

Mr. Gnau offered the following Amendment to said bill, viz.:

"Provided that household products for cleaning and washing purposes, subject to this act and labeled in accordance therewith, may be sold, offered for sale, held for sale and distributed in this state by any dealer, wholesale or retail," Said Amendment shall be inserted on page 3, Section 2, line 5 after the word "use".

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Dr. R. A. Byers	E. C. Dennington
E. S. Allison	James A. Campbell	James R. Dorman
U. G. Anderson	Lee Clark	S. J. Douthitt
W. O. Baxter	Bradley Combs	C. B. Dowling
S. A. Blackburn	Elmer Cook	W. C. Dugan
D. C. Bradley	Leonard Cook	William A. Eimer
T. L. Britton	W. W. Cooper	Garland Embry
John Young Brown	Ben L. Cox	J. O. Evans
J. Watt Brown	J. J. Davis	Joseph B. Everhart
John R. Buckman	Winn Davis	Virgil Eversole

Kelly J. Francis	Martin Light	John H. Pickett
John B. Furlong	Fred V. Lucas	John W. Preston
F. A. Gnau	H. R. Marquette	W. E. Randall
L. B. Hamilton	Joseph Martin	Dorsey Ratliff
H. G. Handmaker	James A. May	Denny P. Smith
Rev. B. L. Hargrove	Geo. R. McIntosh	E. J. Thomas
Robt. L. Horn	Henry Meiman	C. B. Truesdell
R. L. Jackson	M. F. Moore	H. Speed Tye
Grover C. Johnson	B. T. Morris	Dr. Vallandingham
M. F. Jordan	H. L. Nickell	J. E. Walters
A. R. Kincheloe	Curtis F. Park	L. M. Weathers
Frank LeBus	J. D. Patton	G. W. Wigginton

—66

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion be laid on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 697. An Act establishing a Bureau of Medical Education and Hospitals in the State Board of Health and for State aid to county and community hospitals and providing appropriations therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established in the State Board of Health a Bureau of Medical Education and Hospitals. The director of this bureau shall be a physician who has had ex-

perience in the general practice of medicine and medical education and his salary shall be fixed by the State Board of Health from the funds herein appropriated and he shall be provided with such inspectors, stenographic and clerical assistants as the State Board of Health shall deem necessary.

§ 2. There is hereby appropriated for the use of the Bureau of Medical Education and Hospitals of the State Board of Health the sum of twenty-five thousand dollars ($25,000.00) annually for the fiscal years 1930-31 and 1931-32 and thereafter such sums as shall be provided by the budget act, which shall be accounted for as other appropriations to the State Board of Health.

§ 3. The State Board of Health is hereby authorized to make such rules and regulations as may be necessary to enforce any of the provisions of this act and such rules and regulations as may be necessary to control local boards when their members fail or refuse to execute the provisions of this act.

§ 4. When a county or community hospital is organized under the provision of section 938e-1, 938e-2 or 938e-2a and conforms to the rules and regulations of the State Board of Health it shall, from and after the passage of this act, be entitled to receive semi-annually on the first days of January and July of each year, out of the State Treasury, a sum equal to ten per cent of the amount actually paid and expended by each district during the preceding six months in acquiring, constructing and equipping such county or community hospital and in making improvements, betterments and additions thereto; and upon such hospital complying with the provisions of this act the Auditor of Public Accounts shall draw his warrant upon the State Treasury in favor of the county or community hospital trustees for such district for such sum; provided that the aid rendered by the State under the provisions of this act shall not exceed ten thousand dollars ($10,000.00) for each such hospital.

§ 5. Every hospital operating under the provisions of this act shall, from and after the passage of this act, be entitled to receive, quarterly, on the first days of January, April, July and October of each year, out of the State Treasury, fifty cents (50c) per day for each free patient actually treated and cared for in such hospital during the three calendar months next preceding said dates: Provided that the provisions of this section shall not apply to out-patients. Upon such hospital complying with the provisions of this act the Auditor of Public Accounts shall draw his warrant upon the State Treasury in favor of the trustees of the hospital for such sum.

§ 6. Before any county or community hospital shall receive any aid from the State under the provisions of this act it shall conform to the rules, regulations and standards prescribed in this act.

§ 7. Any county or community hospital desiring to avail itself of the benefits of this act shall make application therefor in duplicate to the State Board of Health and to the Auditor of Public Accounts, and shall file therefor a statement for the period covered thereby, subscribed and sworn to by the chairman and treasurer of said hospital, showing the actual amount of all moneys received by it and the sources from which same were received, and the actual amount of all moneys paid and expended by said hospital and the purpose for which same were expended, together with the number of free patients maintained, treated and cared for in said hospital during the period for which said application is made and the period of time that each such patient was maintained, treated and cared for in said hospital. It shall be the duty of the State Board of Health to approve or disapprove such application, and to certify its action under seal, attested by its President and Secretary, to the Auditor of Public Accounts, within ten days after such application shall have been received by said board; and no money shall be paid on any such appli-

cation until the same shall have been first approved by the State Board of Health.

§ 8. All county and community hospitals provided for in this act shall at all reasonable times keep open for the inspection of the State Inspector and Examiner all its records and books of accounts.

§ 9. The fiscal court of any county which does not maintain a county or community hospital may contract with any such hospital in any other county for the care and treatment of its indigent residents upon such terms as shall be approved by the State Board of Health.

Mr. Winn Davis offered the following Amendment to said bill, viz.:

Amend H. B. 697 by striking out of line 3, Section 2, the words and sum twenty-five thousand dollars ($25,000) and in lieu thereof substitute the words and sum "twenty-five hundred dollars ($2,500)".

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	M. F. Moore
William B. Ardery	Garland Embry	H. L. Nickell
W. O. Baxter	J. O. Evans	Fred A. Nolte
S. A. Blackburn	Virgil Eversole	Caleb A. Page
D. C. Bradley	Kelly J. Francis	Curtis F. Park
T. L. Britton	John B. Furlong	James I. Peters
John Young Brown	F. A. Gnau	John H. Pickett
John R. Buckman	Rev. B. L. Hargrove	John W. Preston
Dr. R. A. Byers	J. F. Harrison	W. E. Randall
James A. Campbell	Robt. L. Horn	Denny P. Smith
Lee Clark	C. E. Houk	D. O. Stanley
Bradley Combs	Grover C. Johnson	Frank L. Strange
Leonard Cook	Theron M. Johnson	E. J. Thomas
W. W. Cooper	M. F. Jordan	J. A. Thompson
Ben L. Cox	A. R. Kincheloe	Thomas H. Troxel
H. G. Crabtree	Frank LeBus	C. B. Truesdell
J. J. Davis	Martin Light	H. Speed Tye
Winn Davis	H. R. Marquette	J. E. Walters
E. C. Dennington	B. K. Marshall, Jr.	G. W. Wigginton
W. C. Dugan	Joseph Martin	Robert Williams
Thomas Dunn	James A. May	
J. W. Edwards	Geo. R. McIntosh	—64

Those who voted in the negative were—

James R. Dorman	Fred V. Lucas	T. R. McRoberts
S. J. Douthitt		—4

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 755. An Act to provide for the incorporation, regulation, merger, consolidation and dissolution of certain corporations for profit.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Definitions. As used in this Act.

I. "Corporation" means a corporation formed under this Act.

II. "Domestic Corporation" means a corporation formed under the laws of this State, and the term "Foreign Corporation" includes every other corporation.

III. "Articles of Incorporation" includes both the original articles of incorporation and any and all amendments thereto, except in those instances where the context expressly refers to the original articles of incorporation only.

IV. An "Incorporator" is one of the signers of the original articles of incorporation.

V. A "Subscriber" is one who subscribes for shares in a corporation, whether before or after incorporation.

VI. "Shares" are the units into which the shareholders' rights to participate in the control of the corporation, in its surplus or profits or in the distribution of corporate assets, are divided.

VII. A "Shareholder" is one who owns one or more shares. A subscriber becomes a shareholder upon the allotment of shares to him. Nothing in this Section shall be construed as forbidding a corporation to recognize a person registered on its books as the owner of shares as the person exclusively entitled to have and to exercise the rights and privileges incident to the ownership of such shares, or to hold liable for calls and assessments a person registered as the owner of shares.

VIII. A "Certificate of Stock" is a written instrument signed by the proper corporate officers, as required by this Act, and evidencing the fact that the person therein named is the registered owner of the share or shares therein described.

IX. "Allotment" means the apportioning of a certain number of shares to a subscriber in response to the application contained in his subscription, or to a shareholder pursuant to the declaration of a stock dividend. The allotment of shares to the incorporators, or to persons whose subscriptions were approved by the incorporators before incorporation and were unrevoked at the time of the incorporation, shall be considered automatically coincident with incorporation.

X. The "Capital Stock" of a corporation at any time is:

(a) The aggregate amount of the par value of all allotted shares having a par value, including such shares allotted as stock dividends, and

(b) The aggregate of the cash, and the value of any consideration other than cash, determined as provided in this Act, agreed to be given or rendered as payment for all allotted shares having no par value, plus such amounts as may have been transferred from surplus upon the allotment of stock dividends in shares having no par value.

XI. The "Assets" of a corporation include all its property and rights of every kind.

XII. The "Capital" of a corporation is the portion of its assets acquired as consideration for shares allotted and that portion of its assets which has been treated as payment for shares allotted as stock dividends.

XIII. The term "Registered Office" means that office maintained by the corporation in this State:

(a) as the place where the corporation's minute and stock books are kept, and

(b) the address of which is kept on file in the office of the Secretary of State in the manner required by the provisions of this Act.

XIV. The term "Unincorporated Association" means any group of two or more persons united to carry on a business for profit, except when such group is formed into a corporation under the laws of any state, territory, nation or sovereignty. Without hereby restricting the meaning of the term, it is declared to include partnerships, limited partnerships, limited partnership associations, joint stock companies and business trusts.

XV. "The Court" as used in Sections 49 and 61 means any court of competent jurisdiction where the registered office of the corporation is located.

§ 2. Corporators; number necessary; laws applicable. Any number of persons, not less than three, may associate to establish a corporation for the transaction of any lawful business, or to promote or conduct any legitimate object or purpose, including the buying, selling, holding, dealing in, renting and letting of real estate under the provisions of and subject to the requirements of this article, but banking, building and loan, trust insurance and railroad corporations shall, in addition to the provisions of this article, which are not inconsistent with the laws relating especially to them, be organized in the manner and subject to the provisions of such laws.

§ 3. Articles of Incorporation; what they shall specify. Such persons shall execute articles of incorporation which shall specify:

I. The name of the corporation, which shall be such as to distinguish it from any other corporation engaged in the same business, or promoting or carrying on the same objects or purposes in this state.

II. The name of the city or town and county in which its principal office or place of business is to be located.

III. The nature of the business, or objects or purposes proposed to be transacted, promoted or carried on.

IV. The total number of par value shares and the par value of each share; and, if any of its shares have no par

value, the authorized number of such shares; a description of the classes of shares, if the shares are to be classified, and a statement of the number of shares in each class, and the relative rights, voting power, preference and restrictions, granted to or imposed upon the shares of each class.

The amount of paid-in capital with which the corporation will begin business.

V. The names and places of residence of each of its stockholders, and the number of shares of stock subscribed by each.

VI. The time when it is to commence, and the period it is to continue.

VII. By what officers or persons the affairs of the corporation are to be conducted, and the time and place at which they are to be elected.

VIII. The highest amount of indebtedness or liability which the corporation may at any time incur.

IX. Whether the private property of the stockholders, not subject by the provisions of the law under which it is organized, shall be subject to the payment of corporate debts, and if so, to what extent.

§ 4. The Corporate Name.

I. The corporate name must end with the abbreviation "Inc.," or must include the word "Corporation" or "Incorporated" (or may include the word "Company," or the abbreviation "Co." if that word or abbreviation is not immediately preceded by the word "and" or the abbreviation "&"). The provisions of this subdivision shall not affect the right of any corporation, existing at the time this Act takes effect, to continue the use of its name.

II. The corporate name shall not be the same as, nor deceptively similar to the name of any other domestic corporation or of any foreign corporation authorized to do business in this State unless

(a) such other domestic or foreign corporation is about to change its name, or to cease to do business, or is being

wound up, or such foreign corporation is about to withdraw from doing business in this State, and

(b) the written consent of such other domestic or foreign corporation to the adoption of its name or a deceptively similar name has been given and is filed with the articles of incorporation.

III. The corporate name shall not be the same as, nor deceptively similar to, the trade name of any person or unincorporated association doing business under such trade name in this State or elsewhere, if such person or unincorporated association has within the last preceding twelve months signified an intention to incorporate in this State under such name by filing notice of such intention with the Secretary of State, unless the written consent to the adoption of such name or deceptively similar name has been given by such person or unincorporated association, and is filed with the articles of incorporation.

IV. The corporate name shall not be the same as, nor deceptively similar to, the name of any foreign corporation doing business elsewhere than in this State if such foreign corporation has within the last preceding twelve months signified an intention to secure incorporation in this State under such name, or to do business as a foreign corporation in this State under such name by filing notice of such intention with the Secretary of State, unless the written consent to the adoption of such name or a deceptively similar name has been given by such foreign corporation and is filed with the articles of incorporation.

V. Nothing in this section shall abrogate or limit the law as to unfair competition or unfair practices; nor derogate from the common law, the principles of equity, or the statutes of this State or of the United States with respect to the right to acquire and protect trade names.

VI. A corporation formable under this Act may use a corporate name in any language, but the same must be in English letters or characters.

VII. No corporation formed under this Act shall include in its corporate name any of the following words or phrases: "Trust," "Bank," "Safe-Deposit," "Insurance," "Guaranty," "Title," "Casualty," "Benefit," "Co-operative" and "Mutual."

VIII. The assumption of a name in violation of this Section shall not affect or vitiate the corporate existence, but the Courts of this State, having equity jurisdiction, may, upon the application of the State, or of any person, unincorporated association, or corporation interested or affected, enjoin such corporation from doing business under a name assumed in violation of this Section, although its articles of incorporation may have been approved and a certificate of incorporation issued.

§ 5. Articles; how executed and recorded evidence; fees of secretary of state.

The articles shall be signed and acknowledged by the parties thereto before any officer authorized to take acknowledgements to deeds, and recorded in the county clerk's office of the county in which its principal office or place of business is to be located, and a copy thereof shall be filed and recorded in the office of the secretary of state; and said articles or a certified copy thereof, may be used as evidence in any action for or against such corporation; and all amendments thereto shall become a part of the original articles. The corporation shall pay to the secretary of state a fee of twenty-five cents for one hundred words for recording the articles of incorporation, said fees to be turned into the state treasury.

§ 6. Subscriptions for Shares Before Incorporation.

I. Subscriptions for shares of a corporation to be formed shall be in writing. Unless otherwise provided in the writing, the subscription shall be

(a) irrevocable for a period of one year from the date of signing except as provided in subdivision II of this Section.

(b) revocable after a period of one year from the date of signing, unless prior to such revocation a certificate of in-

corporation has been issued as provided in Section 5.

II. Subscription for shares may be revoked at any time by either party upon such grounds as exist at law or in equity for the recision of any contract.

III. Upon the issue of the certificate of incorporation, subscriptions for shares may be enforced by the corporation according to their terms unless revoked as provided in this Section.

IV. When no provision as to the time of payment is made in the contract of subscription, shares shall be paid for on the call of the board of directors.

§ 7. Minimum Amount of Paid-In Capital. The amount of paid-in capital with which a corporation may begin business shall not be less than $1,000.00 in cash or other property taken at a fair valuation, but in no event shall the corporation commence to do business with persons other than its stockholders until at least fifty per cent. (50%) of the capital stock of said corporation shall be in good faith subscribed.

§ 8. Conditions Precedent to Beginning Business. Penalty for Violation of Section.

I. A corporation formed under this Act shall not incur any debts or begin the transaction of any business, except such as is incidental to its organization or to the obtaining of subscriptions to or the payment for its shares, until:

(a) the articles of incorporation has been filed for record as provided in Section 5;

(b) the amount of capital with which it will begin business, as stated in the articles of incorporation, has been fully paid in; and

(c) there has been filed in the office of the County Clerk of the county in which the corporation has its registered office an affidavit signed by at least a majority of the board of directors and stating that the amount of capital with which it will commence business, as stated in the articles of incorporation, has been fully paid in.

II. If a corporation has transacted any business in violation of this Section, the officers who participated therein and the directors, except those who dissented therefrom and caused their dissent to be filed at the time in the registered office of the corporation, or who, being absent, so filed their dissent upon learning of the action, shall be severally liable for the debts or liabilities of the corporation arising therefrom.

§ 9. Validity and Effect of Certificate of Incorporation.

The certificate of incorporation issued by the Secretary of State in accordance with the provisions of Section 5 shall be conclusive evidence of the fact that the corporation has been incorporated. Proceedings may, however, be instituted by the State to dissolve, wind up and terminate a corporation which should not have been formed under this Act, or which has been formed without a substantial compliance with the conditions prescribed by this Act as precedent to incorporation.

§ 10. Effect of Filing or Recording Papers Required to be Filed.

The filing or recording of the articles of incorporation, or amendments thereto, or of any other papers pursuant to the provisions of this Act is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof, but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

§ 11. Corporate Capacity and Corporate Authority: The Same Distinguished.

I. A corporation which has been formed under this Act or a corporation which existed at the time this Act took effect and of a class which might be formed under this Act, shall have the capacity to act possessed by natural persons, but such a corporation shall have authority to perform only such acts as are necessary or proper to accomplish its purposes and which are not repugnant or contrary to law.

II. Without limiting or enlarging the grant of authority contained in subdivision I of this Section, it is hereby specifically provided that every such corporation shall have authority:

(a) to have a corporate seal and to alter the same at pleasure;

(b) to continue as a corporation for the time limited in its articles of incorporation, or, if no such time limit is specified then perpetually;

(c) to sue and be sued in its corporate name;

(d) to acquire, hold, sell, dispose of, pledge or mortgage any such property as its purposes may require, subject to any limitation prescribed by law or the articles of incorporation;

(e) to conduct business in this State and elsewhere as may be permitted by law; and

(f) to dissolve and wind up.

§ 12. Holding Shares and Securities of Other Corporations.

A corporation, to accomplish its purpose as stated in the articles of incorporation, may guarantee, acquire, hold, mortgage, pledge or dispose of the shares, bonds, securities and other evidences of indebtedness of any domestic or foreign corporation.

§ 13. Shares—Classes of—Par and No Par Value.

I. The shares of a corporation may be divided into classes with such rights, voting power, preferences and restrictions as may be provided for in the articles of incorporation.

II. Any or all of the shares may have a par value or have no par value, as provided in the articles of incorporation.

III. Except as otherwise provided by the articles of incorporation, each share shall be in all respects equal to every other share.

§ 14. Certificate of Stock; From of Certificate.

I. Each shareholder shall be entitled to a certificate of stock signed by the president and the secretary, or by such officers as the articles of incorporation or by-laws may provide, but when any such certificate is signed by a transfer agent or registrar, the signature of any such corporate officer and the corporate seal, if any, upon such certificate may be facsimiles engraved or printed.

II. Every certificate of stock shall state: the name of the corporation, and,

(a) the state of incorporation;

(b) the name of the registered holder of the shares represented thereby;

(c) the number and class of shares which this certificate represents;

(d) the par value of each share represented, or a statement that such shares have no par value;

(e) the total number of par value shares which the corporation is authorized to issue and the par value of each share; and, if any of its shares have no par value, the authorized number of such shares; (f) if the corporation is authorized to issue shares of more than one class, the rights, voting power, preferences and restrictions granted to or imposed upon the shares of each class, or a summary thereof with a reference to the articles of incorporation.

III. A certificate for shares having no par value shall not state any par value, nor any value thereof in money nor any rate of dividend to which such share shall be entitled in terms of a percentage of any par or other value.

IV. Upon a further allotment of shares, a corporation may issue to a shareholder full or fractional share warrants evidencing the number of shares or the fraction of a share to which the shareholder is entitled to subscribe pursuant to resolutions of the board of directors and evidencing the terms or conditions of such subscription rights.

§ 15. Shares—Allotment and Consideration.

I. No allotment of shares of a corporate shall be made except:

(a) pursuant to subscriptions received therefor, or

(b) pursuant to the declaration of stock dividends.

II. Subscriptions for shares may be made payable, as provided in subdivisions III and IV of this Section, with cash, other property, tangible or intangible, or with necessary services actually rendered to the corporation.

III. Subscriptions for shares having a par value shall be made payable:

(a) with cash to an amount not less than the aggregate par value of the shares subscribed for; or

(b) with consideration other than cash, the fair valuation of which, to the corporation, is not less than the aggregate par value of the shares subscribed for.

IV. Suscriptions for shares having no par value shall be made payable as follows:

(a) if the subscription is signed before incorporation, with consideration of the character and value determined by the incorporators;

(b) if the subscription is signed after incorporation, with consideration of the character and value determined by the shareholders at any annual or special meeting, duly called and held for that purpose, or determined by the board of directors acting under authority conferred by the shareholders or by the articles of incorporation.

§ 16. Issue of Certificate of Stock.

I. A certificate of stock shall not be issued until the shares represented thereby have been fully paid for.

II. Shares allotted as stock dividends, and shares for which the agreed consideration has been paid, delivered or rendered to the corporation shall be fully paid shares and non-assessable.

III. When a corporation has received a note or uncertified check as consideration for shares, such shares shall not

be considered as fully paid for until such note or check has been paid.

§ 17. Valuation of Consideration for Shares.

For the purpose of determining whether shares have been fully paid for in order to fix the extent of the outstanding obligation of a shareholder, to the corporation with respect to such shares, the following valuations shall be conclusive:

(a) the valuation placed by the incorporators, the shareholders or the directors, as the case may be, upon the consideration other than cash with which the subscriptions for shares are made payable;

(b) the valuation placed by the board of directors upon the corporate assets in estimating the surplus to be transferred to capital as payment for shares to be allotted as stock dividends.

§ 18. Filing Report and Affidavit as to Consideration for Shares; Penalty for Failure to File.

I. Within 30 days after incorporation, and within 90 days after every subsequent allotment of shares the facts in regard to which have not been made public in a report previously filed as required by this Section, the corporation shall file in the office of the County Clerk of the county in which the corporation has its registered office, a report verified by the president or vice president and by the secretary, assistant secretary or treasurer, and containing

(a) a statement of the total number of shares allotted up to date of the report, the number of such shares that have no par value, the number of such shares that have a par value, and the par value thereof;

(b) an accurate, detailed and itemized description of the consideration received or to be received in payment for shares allotted, or allotted since the date of the last report;

(c) a statement of the valuation put by the incorporators, shareholders or board of directors, as the case may be, upon the consideration other than cash received or to be received in payment for shares allotted, or allotted since the

date of the last report, and in case of shares allotted as a stock dividend, the amount of surplus transferred to capital in respect to such dividend, whether all or any part of such surplus was created by a revaluation of assets, and, if so, the value of the assets on the books of the corporation before and after such revaluation, the amount of the surplus or deficit before such revaluation, and the amount of the surplus after such revaluation.

II. For every violation in this Section, a corporation shall be liable to the State, in a fine not exceeding one-tenth of one per cent. of the amount of its capital stock for each day's omission after the time limited for the filing of such report.

§ 19. Validity of shares.

The fact that shares are alloted in violation of or without full compliance with, the provisions of this Act shall not make the shares so allotted invalid.

§ 20. Liability of Incorporators, Subscribers, Shareholders, Directors and Officers.

I. A subscriber to or holder of shares of a corporation formed under this Act, shall be under no liability to the corporation with respect to such shares other than the obligation of complying with the terms of the subscription therefor, but one who became a shareholder in good faith and without knowledge or notice that the shares he acquired had not been fully paid for, shall not be liable to the corporation with respect to such shares.

II. A shareholder of a corporation formed under this Act shall not be personally liable for any debt or liability of the corporation except as specifically provided by this or other statutes of this state.

III. No person holding shares as executor, administrator, guardian, trustee, trustee of a voting trust, receiver, or in any other fiduciary capacity, shall be personally liable merely by reason of so holding such shares.

IV. Nothing in this Act shall be construed as in derogation of any rights which any person may have under the common law or the principles of equity against an incorporator, subscriber, shareholder, director, officer, or the corporation because of any fraud practiced upon him by any of such persons, or the corporation; or in derogation of any rights which the corporation may have because of any fraud practiced upon it by any of such persons.

§ 21. Transfer of Certificates of Stock and Shares Represented Thereby.

The transfer of Certificates of stock and the shares represented thereby, may be regulated by the by-laws provided such by-laws are not inconsistent with other provisions of the law.

§ 22. Corporation's Lien on Shares.

If a shareholder be indebted to the corporation on account of unpaid subscriptions for shares, it shall have a lien upon such shares for such indebtedness. If such indebtedness is not paid after demand made upon reasonable notice, the corporation may sell the shares at public auction, after giving notice of the time, place and terms of sale by registered mail addressed to such shareholder at his last known place of business or residence and by publication for three days before the sale in some newspaper published in the county where the corporation has its registered office, or if there be no newspaper in such county, then in a newspaper of general circulation in such county.

23. Paid-In Surplus.

I. If, upon the allotment of shares having no par value, any part of the consideration received by the corporation is to be treated as paid-in surplus rather than as payment upon such shares, the incorporators, shareholders or directors, as the case may be, who fix the amount of cash or determine the value of other consideration so received, shall at that time specify the proportion of such value that is to be considered

as surplus and the proportion thereof that is to be considered payment for the shares.

II. Amounts of surplus paid in by shareholders shall be shown on the books of the corporation as a separate item designated "paid-in surplus."

§ 24. Dividends; Method of Estimating Fund For Payment Of.

I. Every corporation formed shall carry upon its books as a liability the amount of its capital stock as defined in Section 1, subdivision X.

II. Amounts of surplus arising from an unrealized appreciation or revaluation of fixed assets shall be shown on the books of the corporation as a separate item apart from the surplus profits or paid-in surplus.

III. In computing the aggregate of the assets of the corporation, the board of directors shall determine and make proper allowance for depreciation and depletion sustained, and losses of every character. Deferred assets and prepaid expenses shall be written off at least annually in proportion to their use as may be determined by the board of directors.

IV. No Corporations Shall Pay Dividends:

(a) in cash or property, except from the surplus of the aggregate of its assets over the aggregate of its liabilities, including in the latter the amount of its capital stock, after deducting from such aggregate of its assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets;

(b) in shares of the corporation, except from the surplus of the aggregate of its assets over the aggregate of its liabilities, including in the latter the amount of its capital stock.

V. Cash dividends shall not be paid out of surplus due to or arising from

(a) any profit on treasury shares before resale—or

(b) any unrealized profits due to increase in valuation of inventories before sale; or

(c) the unaccrued portion of unrealized profits on notes, bonds, or obligations for the payment of money purchased or acquired at a discount unless such notes, bonds, or obligations are readily marketable, in which case they may be taken at their actual market value; or

(d) the unaccrued or unearned portion of any unrealized profit in any form whatever, whether in the form of notes, bonds, obligations for the payment of money, installment sales, credits or otherwise.

VI. Subject to the limitations contained in this Section, a dividend may be declared in shares of the corporation whenever the board of directors so determine, provided that

(a) if the dividend is to be paid in shares having a par value, the aggregate par value of such shares shall not exceed the amount of that portion of the corporation's surplus which is transferred to capital as payment for such shares;

(b) if the dividend is paid in shares having no par value, the number of such shares may be fixed by the board of directors;

(c) no dividend payable in shares of any class shall be paid to shareholders of any other class unless the articles so provide or such payment is authorized by the vote of the holders of a majority of the shares of the class in which the payment is to be made.

VII. A corporation which owns wasting assets intended for sale in the ordinary course of business, such as mines, or oil or gas wells, or a corporation which owns property having a limited life, such as a lease for a term of years, or patents, need not deduct the depletion of such assets by sale or lapse of time in the computation of the fund available for dividends, and such a corporation may pay dividends from the net profits arising from its business without deduction of such depletion, subject, however, to the rights of shareholders of different classes.

§ 25. Liability Of Directors and Shareholders For Div-

idends Unlawfully Paid or Corporate Assets Otherwise Unlawfully Returned.

If any dividend be paid in violation of Section 24, or if any other unlawful distribution, payment or return of assets be made to shareholders.

I. The directors who knowingly, or without making reasonable inquiry, voted in favor thereof shall be jointly and severally liable to the corporation in an amount equal to the amount of the dividend so paid and the distribution, payment or return of assets so made;

II. Every shareholder who received any such dividend or any such distribution, payment or return of assets shall in the following instances be individually liable to the corporation in an amount equal to the amount so received by him:

(a) when no director is liable to the corporation as provided in subdivision I of this Section, or

(b) to the extent that the corporation is unable to obtain satisfaction after judgments recovered against directors upon the liability imposed by subdivision I of this Section.

III. No action shall be brought against a director under subdivision I, or against a shareholder under subdivision II (a) unless brought within two years from the date on which such payment, distribution or return was made; and no action shall be brought against a shareholder, under subdivision II (b) unless brought within two years from the date of final judgment against the directors.

§ 26. By-Laws.

I. The shareholders of a corporation may make and alter by-laws not inconsistent with law or the articles of incorporation.

II. The authority to make by-laws may be expressly vested by the articles of incorporation in the board of directors subject to the power of the shareholders to change or repeal such by-laws.

III. The board of directors shall not make or alter any

by-laws fixing their qualifications, classifications, term of office or compensation.

§ 27. Shareholders' Meetings.

I. Shareholders' Meetings may be held within or without the State unless otherwise provided herein or in the articles of incorporation or by-laws. At least one meeting of the shareholders shall be held in each calendar year. The by-laws may provide for the time and place of holding shareholders' meetings.

II. Special meetings of the shareholders may be called at any time by the board of directors. If more than eighteen months are allowed to elapse without the annual shareholders' meeting being held, any shareholder may call such meeting to be held at the registered office of the corporation. At any time, upon written request of any director, or of any shareholder or shareholders holding in the aggregate one-fifth of the voting power of all shareholders, it shall be the duty of the secretary to call a special meeting of shareholders to be held at the registered office at such time as the secretary may fix, not less than ten nor more than thirty-five days after the receipt of said request, and if the secretary shall neglect or refuse to issue such call, the director or shareholder or shareholders making the request may do so.

III. An adjournment or adjournments of any annual or special meeting may be taken without new notice being given, but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected.

IV. Persons authorized to call shareholders' meetings shall cause written notice of the time, place and purpose of the meeting to be given all shareholders entitled to vote at such meeting, at least ten days prior to the day named for the meeting. If such written notice is placed in the United States mail, postage prepaid, and addressed to a shareholder at his last known post-office address, notice shall be deemed to have been given him. Notice of any shareholders'

meeting may be waived in writing by any shareholder at any time.

§ 28. Voting Rights.

I. Except as otherwise provided in the articles of incorporation, every shareholder of record shall have the right at every shareholders' meeting to one vote for every share standing in his name on the books of the corporation. Unless the articles or by-laws otherwise provide, the board of directors may fix a time not exceeding forty days preceding the date of any meeting of shareholders, or the date fixed for the payment of any dividend or distribution, or the date for the allotment of rights, or, subject to contract rights with respect thereto, the date when any change or conversion or exchange of shares shall be made or go into effect, as a record date for the determination of the shareholders entitled to notice of and to vote at any such meeting, or entitled to receive payment of any such divided, or allotment of rights, or to exercise the rights in respect to any such change, conversion or exchange of shares, and in such case only shareholders of record on the date so fixed shall be entitled to notice of and to vote at such meeting, or to receive payment of such dividend, or allotment rights or to exercise such rights, as the case may be, and notwithstanding any transfer of any shares on the books of the corporation after any record date fixed as aforesaid, the board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period.

II. If, by the articles of incorporation, voting power is granted to the holders of shares of a certain class or classes and denied to the holders of shares of other classes, then the person or persons exercising such power shall stand in a fiduciary relation to the entire body of shareholders and shall be responsible to the corporation, for the benefit of all shareholders, for any violation of the obligations of such relationship.

III. In the election of directors, every shareholder of

record shall have the right to multiply the number of votes to which he may be entitled under subdivision I of this section by the number of directors to be elected, and he may cast all such votes for one candidate or he may distribute them among any two or more candidates.

IV. Every shareholder shall have the right to cast his vote either in person or by proxy duly authorized in writing and filed with the secretary. Except as may be provided under subdivision V of this section, a proxy unless coupled with an interest, shall be revocable at will, notwithstanding any other agreement or any provision in the proxy to the contrary. The validity of every unrevoked proxy shall cease eleven months after the date of its execution unless some other definite period of validity shall be expressly provided therein, but in no event shall a proxy, unless coupled with interest, be voted on after three years from the date of its execution.

The revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the corporation.

V. A person whose shares are pledged shall be entitled to vote thereon until said shares have been transferred on the books of the corporation to the pledgee, and thereafter the pledgee shall be entitled to vote the same. A person or persons holding shares in a fiduciary capacity may vote the same in person or by proxy. Where shares are held jointly by three or more fiduciaries, the will of the majority of such fiduciaries shall control the manner of voting or the giving of a proxy, unless the instrument or order appointing such fiduciaries otherwise directs. Where, in any case, the fiduciaries are equally divided upon the manner of voting the shares jointly held by them, any court of competent jurisdiction may, upon petition filed by any of such fiduciaries, or by any beneficiary, appoint an additional person to act with such fiduciaries in determining the manner in which such shares shall be voted upon the particular questions as to which such fiduciaries are divided.

VI. A corporation owning shares in another corporation may vote the same by its president or by proxy appointed by him unless some other person, by resolution of its board of directors shall be appointed to vote such shares, in which case such person shall be entitled to vote upon the production of a certified copy of such resolution.

VII. Shares of a corporation belonging to said corporation shall not be voted nor counted in calculating the total voting power of all shareholders of such corporation at any given time.

§ 29. Voting Trusts.

I. Two or more shareholders of any domestic corporation may, pursuant to an agreement in writing, transfer their shares to any person or persons, or to a corporation having authority to act as trustee, for the purpose of vesting in such person or persons, or corporations, as trustee or trustees, all voting or other rights pertaining to such shares for a period not exceeding ten years, and upon the terms and conditions stated in the agreement.

II. A duplicate copy of such agreement shall be filed in the registered office of the corporation and shall be open daily during business hours to the inspection of any shareholder or any depositor under said agreement, or the attorney of any shareholder or depositor.

III. Every other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in said agreement, and thereupon shall be bound by all provisions of said agreement.

IV. The certificate of shares so transferred shall be surrendered and cancelled, and new certificates therefor issued to such person or persons, as such trustee or trustees, in which new certificates, it shall appear that they are issued pursuant to said agreement. In the entry of transfer on the books of the corporation it shall also be noted that the transfer is made pursuant to said agreement.

V. The trustee or trustees shall execute and deliver to the transferors voting trust certificates. Such voting trust certificates shall be transferable in the same manner and with the same effect as certificates of stock.

VI. The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered in his or their names subject to the terms and conditions of, and for the period specified in said agreement.

VII. Unless otherwise provided in said agreement,

(a) the trustees may vote in person or by proxy.

(b) if there are two or more trustees, the manner of voting shall be determined as provided in Section 28, subdivision V;

(c) vacancies among the trustees shall be filled by the remaining trustees;

(d) a trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance.

§ 30. Quorum.

I. A shareholders' meeting duly called can be organized for the transaction of business whenever a quorum is present.

II. Except as otherwise provided in the articles of incorporation,

(a) the presence, in person or by proxy, of the holders of a majority of the voting power of all shareholders shall constitute a quorum;

(b) the shareholders present at a duly organized meeting can continue to do business until adjournment, notwithstanding the withdrawal of enough shareholders to leave less than a quorum.

(c) if a meeting cannot be organized because a quorum has not attended, those present may adjourn the meeting to such time and place as they may determine, subject, however, to the provisions of Section 27, subdivision III; but in case of any meeting called for the election of directors, those who attend the second of such adjourned meetings, although less than a quorum as fixed in this Section or in the articles of

incorporation, shall nevertheless constitute a quorum for the purpose of electing directors.

§ 31. Directors.

I. The business of every corporation shall be managed by a board of at least three directors, who need not be shareholders unless the articles of incorporation so require. A director shall hold office for the term for which he was named or elected and until his successor is elected and qualified.

II. The names and terms of office of the first directors shall be stated in the articles of incorporation. Except as provided in paragraph (b) of subdivision III of this Section, directors and other than those constituting the first board, shall be elected by the shareholders.

III. The number, qualifications, terms of office, manner of election, time and place of meeting, and the powers and duties of the directors may, subject to the provisions of this Act, be prescribed by the articles or by-laws. Except as otherwise prescribed in the articles or by-laws:

(a) a director shall be elected for a term of one year;

(b) vacancies in the board of directors shall be filled by the remaining members of the board, and each person so elected shall be a director until his successor is elected by the shareholders who may make such election at the next annual meeting of the shareholders, or at any special meeting duly called for that purpose and held prior thereto;

(c) the meetings of the board of directors may be held at such place, whether in this State or elsewhere, as a majority of the directors may from time to time appoint;

(d) a majority of the board of directors shall be necessary to constitute a quorum for the transaction of business and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors;

(e) the board of directors may, by resolution passed by a majority of the whole board, designate two or more of their number to constitute an executive committee, who, to the

extent provided in said resolution, shall have and exercise the authority of the board of directors in the management of the business of the corporation.

§ 32. Officers and Agents.

I. The board of directors shall elect a president; a secretary, and a treasurer, and may elect one or more vice-presidents. No one of said officers, except the president, need be a director, but a vice-president who is not a director cannot succeed to or fill the office of the president. Any two of the offices or vice-president, secretary and treasurer may be combined in one person.

II. Such officers and agents as may be necessary for the business of the corporation may be appointed by the board of directors or in the manner provided in the by-laws.

III. All officers and agents shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation, subject to the control of the board of directors, as may be prescribed in the by-laws, or, in the absence of controlling provisions in the by-laws, as may be determined by the board of directors.

IV. Any officer or agent may be removed by the board of directors whenever in their judgment the best interests of the corporation will be served thereby, such removal, however, shall be without prejudice to the contract rights of the person so removed.

§ 33. Relation of Directors and Officers to Corporation.

Officers and directors shall be deemed to stand in a fiduciary relation to the corporation, and shall discharge the duties of their respective positions in good faith, and with that diligence, care and skill which ordinarily prudent men would exercise under similar circumstances in like positions.

§ 34. Agent Upon Whom Process May be Executed to be Located in State; Penalty.

All corporations except foreign insurance companies formed under the laws of this or any other State, and carrying on any business in this State, shall at all times have one

or more known places of business in the State, and an authorized agent or agents thereat, upon whom process can be served; and it shall not be lawful for any corporation to carry on any business in this State, until it shall have filed in the office of the Secretary of State a statement, signed by its president or secretary, giving the location of its office or offices in this State, and the name or names of its agent or agents thereat, upon whom process can be served; and when any change is made in the location of its office or offices, or in its agent or agents, it shall at once file with the Secretary of State a statement of such change; and the former agent shall remain agent for the purpose of service until statement of appointment of the new agent is filed; and if any corporation fails to comply with the requirements of this section, such corporation, and any agent or employee of such corporation, who shall transact, carry on or conduct any business in this State, for it, shall be severally guilty of a misdemeanor, and fined not less than one hundred nor more than one thousand dollars for each offense.

§ 35. Corporate Books and Records. Right of Shareholder to Inspect. Penalties for Violation of Section.

I. Every corporation shall keep at its registered office:

(a) records of the proceedings of the shareholders and of the directors, and

(b) except as provided in subdivision III of this Section, a share register giving the names of the shareholders in alphabetical order, and showing their respective addresses, the number and classes of shares held by each, the dates on which they acquired the same.

II. Every corporation shall also keep appropriate and complete books of account.

III. A corporation may open a share register in any State of the United States. It may employ an agent or agents to keep such register and to record transfers of shares therein, in this or in other States, or both, and the acts of such agents shall be binding on the corporation. The duties and

liabilities of such agent or agents shall be such as may be agreed to by the corporation. If a corporation is keeping a share register in some other State, or if a transfer agent has been appointed to act in this or some other State and is so acting, it shall be unnecessary for the corporation to keep a share register also at its registered office as provided in paragraph (b) of sub-division I of this Section.

IV. Every shareholder shall have a right to examine, in person or by agent or attorney, at any reasonable time or times, for any purpose, the share register, books of account and records of the proceedings of the shareholders and directors and to make extracts therefrom.

V. A corporation shall be liable to the State in a fine of five dollars for each day it neglects to keep any or all of the books or records as required by subdivision I and II of this Section.

§ 36. Annual Reports. Penalty for Violation of Section.

I. The Secretary of State shall prescribe such regulations as to the form, contents and time for filing annual reports of corporations as he finds necessary to make available to shareholders, creditors and the investing public adequate information as to the financial condition of corporations. Such reports shall be open for inspection by such persons in accordance with the regulations of the Secretary of State.

II. Every corporation shall prepare, authenticate and file reports in accordance with the regulations of the Secretary of State, and any corporation which fails to prepare, authenticate and file a report in accordance with the provisions of this Section shall be liable to the State in a fine not exceeding five dollars for each day during which the failure continues.

§ 37. Voluntary Transfer of Corporate Assets.

I. A voluntary sale, lease or exchange of all the assets of a corporation may be authorized by it upon such terms and

conditions as it deems expedient, including an exchange for shares in another corporation, domestic or foreign.

II. If the corporation is able to meet its liabilities then matured, such authorization shall be given at a meeting of shareholders, duly called for the purpose, and by such vote of the shareholders as may be provided for in the articles of incorporation, or, if there be no such specific provision, then by the vote of the holders of two-thirds of the voting power of all shareholders. If the corporation be unable to meet its liabilities then matured, such authorization may be given by the vote of the board of directors.

III. This Section shall not be construed to authorize a conveyance or exchange of assets in fraud of corporate creditors or of minority shareholders or shareholders without voting rights, or in violation of the statutory provisions relating to the transfer of goods in bulk.

§ 38. Amendments of Articles of Incorporation.

I. A corporation may, at a meeting of the shareholders duly called upon notice of the specific purpose, and in the manner herein provided, amend its articles in any respect so as to include any provision authorized by this Act, or so as to extend the period of its duration for a further definite time or perpetually.

II. An amendment changing the name of the corporation may be adopted by the vote of the holders of a majority of the voting power of all shareholders, or by such vote as the articles of incorporation require.

III. An amendment altering the articles of incorporation in any other respect may be adopted by vote of the holders of two-thirds of the voting power of all shareholders, or by such vote as the articles of incorporation require.

IV. If an amendment would make any change in the rights of the holders of shares of any class, or would authorize shares with preferences in any respect superior to those of outstanding shares of any class, then the holders of each class of shares so affected by the amendment shall be entitled to vote as a class upon such amendment, whether by

the terms of the articles of incorporation such class be entitled to vote or not, and, in addition to the vote required by subdivision III of this Section, the vote of the holders of two-thirds of the shares of each class so affected by the amendment shall be necessary to the adoption thereof.

V. Any amendment which might be adopted at a meeting of shareholders as provided in this Section, may be adopted without such a meeting being held if written consent to the amendment has been given by all shareholders entitled to vote thereon as provided in this Section.

§ 39. Articles of Amendment: Contents—Subscription —Filing and Recording.

After an amendment has been adopted, Articles of Amendment shall be prepared, setting forth the amendment and the adoption thereof, and shall be signed and acknowledged by the President or Vice President, and the Treasurer or Secretary and a majority of the Board of Directors. They shall be filed and treated as original Articles of Incorporation are provided for herein.

§ 40. Provisions Relating to Certain Amendments.

I. If the total number of shares is to be increased or decreased the articles of amendment shall also state:

(a) The total number of shares, including those previously authorized, which the corporation will thenceforth be authorized to have;

(b) The number of shares that have a par value and the par value thereof, and the number of shares that have no par value, and

(c) If shares are divided into more than one class, a description of the classes, and a statement of the number of shares in each class and of the relative rights, voting power, preferences and restrictions granted to or imposed upon the shares of each class.

II. If shares having a par value are to be changed into an equal or different number of shares having no par value, then the amount of the consideration for which shares having

no par value are alloted to take the place of outstanding shares having a par value shall be deemed to be the amount of the aggregate par value of such outstanding shares, or, if the actual value of such shares be less than their par value, the consideration may be stated in the articles of amendment to be their actual value.

III. If shares having no par value are to be changed into an equal or different number of shares having a par value, the shares having a par value which are alloted to take the place of outstanding shares having no par value shall be taken to be fully paid for, but the aggregate par value of such shares shall not exceed the actual value of the assets of the corporation, less its liabilities, represented by the shares having no par value so exchanged.

IV. If shares having no par value are to be changed into a different number of the same class or of any other class or classes of shares having no par value, the corporation shall be deemed to have received for such new shares as represent or take the place of such outstanding shares the amount of the capital of the corporation represented by the outsanding shares so changed.

§ 41. Reduction of Capital Stock.

I. The capital stock of a corporation may be reduced by a resolution adopted by the vote of the holders of two-thirds of the voting power of all shareholders, cast in person or by proxy at a meeting of the shareholders duly called and held for that purpose or by such vote as the articles of incorporation require.

II. Following the adoption of such a resolution for the reduction of capital stock, articles of reduction of capital stock shall be prepared and filed in the manner required by Section 39 for the preparation and filing of articles of amendment. The articles of reduction shall also state the financial condition of the corporation and that the proposed reduction will not reduce the fair value of the assets of the corporation to an amount less than the total amount of its debts and lia-

bilities plus the amount of its capital stock as so reduced.

III. No attempted reduction of capital stock shall be effective until the Secretary of State has filed the articles of reduction and issued a certificate of reduction, and no such attempted reduction shall be valid, even if the Secretary of State has filed the articles of reduction and issued a certificate of reduction, if reduction would reduce the actual value of the corporate assets to an extent prohibited by subdivision II of this Section.

§ 42. Rights of a Shareholder Not Assenting to Certain Corporate Action.

I. If a corporation has authorized the sale, lease or exchange of all its assets, in accordance with the provisions of Section 37, at a time when it is able to meet its liabilities then matured, or has, in accordance with the provisions of sections 38, 39, or 40, authorized an amendment which changes the corporate purposes, extends the duration of the corporation or changes the rights of the holders of any outstanding shares, a shareholder who did not vote in favor of such corporate action may, within twenty days after the date upon which such action was authorized, object thereto in writing and demand payment for his shares.

II. If, after such a demand by a shareholder, the corporation and the shareholder cannot agree upon the value of the shares at the time such corporate action was authorized, such value shall be ascertained by three disinterested persons, one of whom shall be named by the shareholder, another by the corporation and the third by the two thus chosen. The finding of the appraisers shall be final, and if their award is not paid by the corporation within thirty days after it is made, it may be recovered in an action by the shareholder against the corporation. Upon payment by the corporation to the shareholder of the agreed or awarded price of his shares, the shareholder shall forthwith transfer and assign the shares held by him at, and in accordance with, the request of the corporation.

III. A shareholder shall not be entitled to payment for his shares under the provisions of this Section unless the value of the corporate assets which would remain after such payment would be at least equal to the aggregate amount of its debts and liabilities exclusive of capital stock.

§ 43. Merger and Consolidation. Authorized.

I. Any two or more domestic corporations, formed for any purpose for which a corporation might be formed under this Act, and any domestic corporations and any foreign corporations with authority to carry on any business for the conduct of which a corporation might be organized under this Act, may be

(a) merged into one of such domestic corporations, or,

(b) consolidated into a new corporation to be formed under this Act,

provided such foreign corporations are authorized by the law or laws of the government under which they were formed to effect such merger or consolidation.

II. Any such domestic corporations and any such foreign corporations may be

(a) merged into one of such foreign corporations, or

(b) consolidated into a new corporation to be formed under the law or laws of the government under which one of such foreign corporations was formed,

provided the laws of such foreign government authorize such merger or consolidation.

§ 44. Merger or Consolidated: Joint Agreement For.

The merger or consolidation of corporations can be effected only as a result of a joint agreement entered into and filed as follows:

I. The board of directors of each of such corporations as desire to consolidate may, by majority vote, enter into a joint agreement signed by such directors and prescribing the terms and conditions of merger or consolidation, the mode of carrying the same into effect, with such other details and provisions as are deemed necessary.

II. The agreement shall be submitted to the shareholders of each of said merging or consolidating corporations, at a meeting thereof, duly called separately in the manner provided in Section 27, for calling shareholders' meetings, and if, at such meetings the holders of two-thirds of the voting power of all shareholders of each corporation shall vote for the adoption of said agreement, then that fact shall be certified on said agreement by the secretary of each corporation, and the agreement so adopted and certified shall be signed by the president and secretary of each of said corporations and acknowledged by the president of each of such corporations.

III. The agreement so adopted, certified and acknowlelged, shall be acknowledged and recorded as Articles of Incorporation as required to be by the provisions of this Act.

§ 45. Consolidation: Articles of Incorporation For.

I. If the joint agreement is for a consolidation into a new corporation to be formed under this Act, articles of incorporation for such new corporation shall be acknowledged and recorded as herein provided for articles of incorporation, together with the agreement as provided in the last preceding Section.

II. Such articles shall be prepared in the manner and form prescribed in Section 3, except that

(a) the corporations consolidating shall be named as the incorporators of the new corporation;

(b) the articles shall be signed by the president, vice president and secretary or assistant secretary of each of said corporations, and acknowledged by the officers so signing the articles.

(c) in lieu of the matter required by subdivisions (f) and (h) of subdivision I of Section 3, such articles shall state the manner of converting the shares of each of the consolidating corporations into the shares or obligations of the new corporation.

III. Such articles of incorporation shall be filed and recorded, and a certificate of incorporation issued as provided in paragraphs I and III of Section 5.

§ 46. When Merger or Consolidation Effective.

I. A merger of one or more corporations into a domestic corporation shall be effective when the joint agreement has been filed in the office of the Secretary of State.

II. A consolidation of corporations into a domestic corporation shall be effective when the joint agreement has been filed in the office of the Secretary of State and when a certificate of incorporation of the new corporation has been issued by the Secretary of State.

III. A merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed, but not until the joint agreement has been adopted, certified and acknowledged, and copies thereof filed in accordance with Section 44.

§ 47. Effect of Merger or Consolidation.

Upon the consummation of the merger or consolidation as provided in the last preceding Section, the effect of such merger or consolidation shall be:

I. That the several parties to the joint agreement shall be one corporation, which shall be

(a) in the case of merger, that one of the constituent corporations into which it has been agreed the others shall be merged and which shall survive the merger for that purpose, or

(b) in the case of consolidation, the new corporation into which it has been agreed the others shall be consolidated;

II. The separate existence of the constituent corporations shall cease, except that of the surviving corporation in the case of merger;

III. The surviving or new corporation, as the case may be, shall possess all the rights, privileges and franchises possessed by each of the former corporations so merged or con-

solidated except that such surviving or new corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this Act to engage in or exercise;

IV. All the property, real, personal and mixed, of each of the constituent corporations, and all debts due on whatever account to any of them, including subscriptions for shares and other chosed in action belonging to any of them shall be taken and be deemed to be transferred to and invested in such surviving or new corporation, as the case may be, without further act or deed;

V. The surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated, in the same manner as if such surviving or new corporation had itself incurred such liabilities or obligations; but the liabilities of such constituent corporations or of their shareholders, directors or officers shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such corporations be impaired by such merger or consolidation, and any claim existing or action or proceeding pending by or against any of such constituent corporations may be prosecuted to judgment as if such merger or consolidation had not taken place, or the surviving or new corporation may be proceeded against or substituted in its place.

§ 48. Rights of Dissenting Shareholders.

When a corporation has become a party to a merger or consolidation agreement, as hereinbefore provided, any shareholder of such a corporation who did not vote in favor of such merger or consolidation at the meeting at which the merger or consolidation was authorized, may, at any time within twenty days after such authorization was given, object thereto in writing and demand payment for his shares and have the value of his shares appraised as provided in Section 42, all of the provisions of which Section shall in all respects be applicable. The liability of such corporation to such dissenting

shareholder for the value of his shares so agreed upon or awarded shall also be a liability of the surviving or new corporation, as the case may be.

§ 49. Proceedings for Dissolution Either Voluntary or Involuntary.

I. A corporation may be wound up and dissolved either voluntarily or involuntarily.

II. If the proceedings are voluntary, they may be conducted either out of court or subject to the supervision of the court.

III. If the proceedings are involuntary, they must be subject to the supervision of court.

§ 50. Voluntary Proceedings for Dissolution.

I. Voluntary proceedings for dissolution may be instituted whenever a resolution therefor is adopted by the holders of at least two-thirds of the voting power of all shareholders at a shareholders' meeting duly called for the purpose.

II. The resolution may provide that the affairs of the corporation shall be wound up out of court, in which case the resolution must designate a trustee or trustees to conduct the winding up, but such appointment shall not be operative until

(a) duplicate copies of such resolution have been signed and acknowledged by a majority of the directors or by shareholders holding a majority of the voting power of all shareholders, and

(b) one of such copies has been filed for record in the office of the (Secretary of State) and the other copy in the office of the (Recorder of Deeds of the county) in which the corporation has its registered office.

III. The resolution may provide that the affairs of the corporation shall be wound up under the supervision of the court, in which case the resolution shall authorize certain directors or shareholders to sign and present a petition to the court praying that the corporation be wound up and dissolved under the supervision of the court.

IV. Where a corporation is being wound up and dissolved out of the court, the trustee or trustees appointed by the shareholders, or a majority of them, may by petition apply to the court to have the proceedings continued under the supervision of the court, and thereafter the proceedings shall continue as if originally instituted subject to the supervision of the court.

§ 51. Grounds for Involuntary Proceedings for Dissolution.

The court may, upon petition being filed, entertain proceedings for the involuntary dissolution of a corporation when it is made to appear

(a) that the corporate assets are insufficient to pay all just demands for which the corporation is liable or to afford reasonable security to those who may deal with it; or

(b) that the objects of the corporation have wholly failed, or are entirely abandoned or their accomplishment is impracticable; or

(c) that it is beneficial to the interests of the shareholders that the corporation should be wound up and dissolved; or

(d) that the numbers of directors is even and they are equally divided respecting the management of the corporate affairs, and, when the voting power of all shareholders is equally divided into two independent ownerships or interests, that one-half thereof favor the course of part of the directors and one-half favor the course of the other directors, or the holders of such equal parts of the voting power are unable to agree on the election of the board of directors consisting of an uneven number.

§ 52. Who May Institute Involuntary Proceedings:

I. A petition for involuntary proceedings for dissolution may be filed by either

(a) a shareholder, or

(b) a creditor whose claim has either been reduced to judgment or is admitted by the corporation.

II. The commencement of a proceeding for dissolution out of court shall not affect the right of any person to institute involuntary proceedings for dissolution.

§ 53. Winding up in Proceedings Out of Court.

I. The trustee or trustees appointed by the shareholders to conduct a winding up out of court shall, as speedily as possible after his or their appointment has become operative as provided in section 50, proceed

(a) to collect all sums due or owing to the corporation,

(b) to sell and convert into cash any and all corporate assets;

(c) to collect the whole, or so much as may be necessary or just, of any amounts remaining unpaid on subscriptions to shares, and

(d) out of the sums so realized, to pay all debts and liabilities of the corporation according to their respective priorities.

II. Any surplus remaining after paying off all debts and liabilities of the corporation shall be paid by the trustee or trustees to the shareholders according to their respective rights and preferences.

III. Nothing in this Section shall interfere with a reorganization pursuant to provisions hereinafter contained in this Act.

§ 54. Appointment of Receivers.

I. The court may appoint a liquidating receiver or receivers.

(a) Upon the filing of a petition by a corporation for voluntary proceedings for dissolution; or

(b) Upon the petition of a trustee or trustees appointed by the shareholders as provided in subdivision IV of section 50; or

(c) Upon the filing of a petition for involuntary proceedings for dissolution, but only after process has issued against the corporation and any other defendants named in the petition and after the filing of answers admitting the

allegations of the petition, or after proof of such allegations if the same are not admitted.

II. The court shall, upon the filing of any such petition, have the ordinary powers of a court of equity to appoint a receiver or receivers pendente lite when necessary to the ends of justice, but the authority of any such temporary receiver or receivers shall cease upon the appointment and qualification of a liquidating receiver or receivers.

§ 55. Qualifications and Duties of Receivers.

I. The receiver or receivers, appointed as provided in the last preceding section, shall, after giving such bond as the court may require for the faithful performance of his or their duties, proceed with the liquidation of the affairs of the corporation in such manner as the court shall direct.

II. Trustees or receivers in dissolution proceedings shall have full authority to compromise, compound and settle claims by or against the corporation upon such terms as they shall deem best; but if the proceeding is subject to the supervision of the court, no such compromise, composition or settlement shall be valid unless approved by the court.

III. Such trustees or receivers may summon meetings of the shareholders in the manner the directors might have done, or, if the proceedings is subject to the supervision of the court, in such manner as the court may direct.

§ 56. Filling vacancy in the Office of Trustee.

A vacancy occurring by death, resignation or otherwise in the office of trustee when the proceeding is not subject to the supervision of the court, may be filled by resolution adopted by the holders of a majority of the voting power represented at a meeting duly called for the purpose by the surviving or remaining trustee or trustees, if any, and if none, then at a shareholders' meeting duly called by the directors.

§ 57. Time and Effect of Commencement of Proceedings for Dissolution.

I. A proceeding for dissolution shall be deemed to commence.

(a) At the time of the passage of the resolution therefor, if the proceeding is out of court;

(b) At the time of the filing of the petition therefor, if the proceeding is subject to the supervision of the court.

II. When a proceeding for dissolution has commenced,

(a) The authority and duties of the directors and officers of the corporation shall cease, except insofar as may be necessary to preserve the corporate assets, or insofar as they may be continued by the trustee or receiver or as may be necessary for the calling of meetings of shareholders:

(b) Any transfer or shares or alteration in the status of shareholders shall be:

(i) Void, if the proceeding is out of court, or

(ii) Void, except insofar as the court may otherwise order, if the proceeding is subject to the supervision of the court.

§ 58. Certain Rules in Bankruptcy Proceedings Applicable to Proceedings for Dissolution. In a proceeding for dissolution subject to the supervision of the court, the following matters shall be governed by the same rules as are applicable in bankruptcy proceedings under the National Bankruptcy Act as in force at the time of the dissolution proceedings:

(a) All questions in respect to proof, allowance, payment and priority of payment of claims;

(b) All questions in respect to the effect of any preference of corporate creditors secured through a transfer of property or through legal proceedings.

§ 59. Compromise Arrangements; Reorganizations; Approval and Effect:

I. When a compromise of arrangement is proposed between a corporation and its creditors or any class of them, or between the corporation and its shareholders or any class of them, or between the corporation and both creditors and

shareholders or any class of them, the court may, upon the application in a summary way of the corporation or of any creditor or shareholder or of a liquidating trustee or receiver of the corporation, order a meeting of the creditors or class of creditors, or of the shareholders or class of shareholders, as the case may be, to be summoned in such manner as the court may direct.

II. If the majority in number representing three-fourths in value of the creditors or class of creditors, or if the shareholders or class of shareholders holding three-fourths of the voting power of all shareholders or of the class of shareholders, as the case may be, agree to any compromise or arrangement or to a reorganization of the corporation as a consequence of such compromise or arrangement, the said compromise or arrangement and the said reorganization shall, if sanctioned by the court be binding on all the creditors or class of creditors, and on all the shareholders or class of shareholders, as the case may be, and also on the corporation and its liquidating trustee or receiver, if any.

§ 60. Order or Certificate of Dissolution; Filing Same.

I. When a corporation has been completely wound up, the court, if the proceeding is subject to the supervision of the court, shall make an order declaring the corporation to be dissolved; and if the proceeding is out of court, the trustee or trustees shall sign and acknowledge a certificate stating that the corporation has been completely wound up and is dissolved.

II. Said order or certificate of dissolution shall be delivered to the Secretary of State who shall file the same in his office and thereupon the corporate existence shall terminate.

III. A duplicate copy of said order or certificate of dissolution shall be filed for record in the office of the county clerk of the county in which the corporation had its last registered office.

IV. Any assets inadvertently or otherwise omitted from the winding up shall vest in the trustee or trustees, or receiver

or receivers, for the benefit of the persons who would have been entitled if they had been in his hands before the dissolution of the corporation, and shall be distributed accordingly.

§ 61. Action to Annul, Vacate or Forfeit Corporate Franchise.

I. The Attorney General may bring an action against any corporation to procure a judgment annulling, vacating or forfeiting, as the case may be, its articles of incorporation and franchise upon the ground that

(a) The corporate franchise was procured through fraud practices upon the state; or

(b) The corporation has offended against any provision of an Act by or under which it was formed, altered or renewed, or an Act amending the same and applicable to the corporation; or

(c) The corporation has violated any provision of law whereby it has forfeited its franchise; or

(d) The corporation has exercised authority not conferred upon it, or abused authority conferred upon it; or

(e) The corporation has done or omitted any act which amounts to a surrender of its corporate franchise, has failed or discontinued to exercise its corporate privileges or has abandoned the corporate enterprise.

II. In any such action, the court may grant the relief asked for, or such other or partial relief as to it seems just and expedient.

§ 62. Application to Existing Corporations. Except where otherwise expressly stated herein, this Act shall be applicable to any existing corporation formed under the laws of this State for a purpose or purposes for which a corporation might be formed under this Act.

§ 63. Repeal. All Acts or parts of Acts inconsistent herewith are hereby repealed, except as set out in section 2 hereof.

§ 64. Saving Clause. This Act shall not impair or affect any act done, offense committed or right accruing, accrued or

acquired, or liability, penalty, forfeiture or punishment incurred prior to the time this Act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if this Act had not been passed.

§ 65. Constitutionality. The invalidity of any portion of this Act shall not affect the validity of any other portion thereof which can be given without such invalid part.

§ 66. Monopolies and Restraint of Trade. Nothing in this Act shall be interpreted to authorize a corporation to do any act in violation of the common law or the statutes of his State or of the United States with respect to monopolies and illegal restraint of trade.

§ 67. Interpretation. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those States which enact it.

§ 68. Time of Taking Effect. This Act shall take effect as set out in section 55 of Constitution of the Commonwealth of Kentucky.

§ 69. Name of Act. This Act may be cited as the Uniform Business Corporation Act.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	John R. Buckman	Bradley Combs
U. G. Anderson	Dr. R. A. Byers	W. W. Cooper
D. C. Bradley	James A. Campbell	Ben L. Cox

Winn Davis	A. R. Kincheloe	John H. Pickett
James R. Dorman	Frank LeBus	John W. Preston
C. B. Dowling	H. R. Marquette	Denny P. Smith
William A. Eimer	B. K. Marshall, Jr.	H. L. Taylor
Garland Embry	Joseph Martin	E. J. Thomas
Joseph B. Everhart	James A. May	Thomas H. Troxel
Kelly J. Francis	Geo. R. McIntosh	H. Speed Tye
H. G. Handmaker	Henry Meiman	Dr. Vallandingham
R. L. Jackson	Clarence Miller	J. D. Via
J. Roy Johnson	M. F. Moore	J. E. Walters
J. R. Johnston	Caleb A. Page	Robert Williams

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Those who voted in the negative were—

F. B. Adcock	J. F. Harrison	Dorsey Ratliff
Leonard Cook	Robt. L. Horn	D. O. Stanley
H. G. Crabtree	M. F. Jordan	Frank L. Strange
William J. Curtis	Fred V. Lucas	Elmer J. Terry
J. J. Davis	T. R. McRoberts	J. A. Thompson
S. J. Douthitt	F. Tyler Munford	G. W. Wigginton
John B. Furlong	L. B. Murphy	
Ralph Gilbert	H. L. Nickell	
L. B. Hamilton	W. E. Randall	

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 616. An Act repealing and re-enacting Section 68b-14, Kentucky Statutes, Carroll's 1922 Edition, relating

to the license record of dogs required to be kept by county clerks, and notations of tranfer of ownership.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 68-14, Kentucky Statutes, Carroll's 1922 Edition, be repealed and re-enacted so that said section as re-enacted shall read as follows: The county court clerk shall keep a record of all dog licenses, and all kennel licenses, and all permits issued during the year. Such record shall contain the name and address of the person to whom each license or permit is issued. In the case of an individual license, the record shall also state the breed, sex, age, color, and markings of the dog licensed; and in the case of a kennel license it shall state the place where the business is conducted. The record shall be a public record and open to persons interested, during business hours. Whenever the ownership or possession of any dog licensed under the provisions of this act is transferred from one person to another, except the temporary transfer of dogs for hunting purposes, or for breeding, trial, or show, as provided in Section 68b-9 of this act, such transfer shall be noted on the record of the county court clerk.

All laws and parts of laws in conflict herewith to the extent of such conflict are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	William A. Eimer	B. K. Marshall, Jr.
William B. Ardery	Garland Embry	Joseph Martin
W. O. Baxter	J. O. Evans	James A. May
S. A. Blackburn	Joseph B. Everhart	Geo. R. McIntosh
D. C. Bradley	Kelly J. Francis	T. R. McRoberts.
T. L. Britton	John B. Furlong	Henry Meiman
J. Watt Brown	F. A. Gnau	M. F. Moore
John R. Buckman	H. G. Handmaker	B. T. Morris
James A. Campbell	Rev. B. L. Hargrove	Caleb A. Page
Lee Clark	J. F. Harrison	J. D. Patton
Bradley Combs	Robt. L. Horn	James I. Peters
Leonard Cook	C. E. Houk	John W. Preston
W. W. Cooper	R. L. Jackson	W. E. Randall
Ben L. Cox	Grover C. Johnson	Dorsey Ratliff
H. G. Crabtree	J. Roy Johnson	D. O. Stanley
William J. Curtis	Theron M. Johnson	E. J. Thomas
Winn Davis	M. F. Jordan	J. A. Thompson
E. C. Dennington	A. R. Kincheloe	H. Speed Tye
James R. Dorman	John B. Klefot	Dr. Vallandingham
S. J. Douthitt	Frank LeBus	J. E. Walters
Thomas Dunn	Martin Light	L. M. Weathers
J. W. Edwards	Fred V. Lucas	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 706. An Act to amend section 1992a-33a, 1928 supplement of Carroll's 1922 Edition of Kentucky Statutes,

by adding the following thereto: West Kentucky Industrial College for Colored Persons and Kentucky State Industrial College for Colored Persons.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 1992a-33a, 1928 Supplement of Carroll's 1922 Edition of Kentucky Statutes, be amended by adding thereto after the words "teachers colleges" the following words "West Kentucky Industrial College for Colored Persons and Kentucky State Industrial College for Colored Persons," so that when said section is amended it shall read as follows: Section 1992a-33a. The provisions of sections 1992a-21, 1992a-23, 1992a-24, 1992a-27 and 1992a-31 of this act shall not apply to the University of Kentucky, the state normal schools and teachers colleges, West Kentucky Industrial College for Colored Persons and Kentucky State Industrial College for Colored Persons.

§ 2. All acts and parts of acts in conflict with this act are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	T. L. Britton	Dr. R. A. Byers
U. G. Anderson	J. Watt Brown	Lee Clark
W. O. Baxter	John R. Buckman	Bradley Combs

W. W. Cooper	Rev. B. L. Hargrove	Caleb A. Page
William J. Curtis	J. F. Harrison	Curtis F. Park
J. J. Davis	C. E. Houk	J. D. Patton
E. C. Dennington	R. L. Jackson	James I. Peters
James R. Dorman	J. Roy Johnson	John H. Pickett
S. J. Douthitt	A. R. Kincheloe	W. E. Randall
W. C. Dugan	John B. Kletot	Dorsey Ratliff
Thomas Dunn	Frank LeBus	Denny P. Smith
William A. Eimer	Fred V. Lucas	E. J. Thomas
Garland Embry	James A. May	Speed H. Tye
John B. Furlong	Geo. R. McIntosh	L. M. Weathers
Ralph Gilbert	T. R. McRoberts	G. W. Wigginton
F. A. Gnau	Henry Meiman	Robert Williams
L. B. Hamilton	M. F. Moore	
H. G. Handmaker	B. T. Morris	—52

Those who voted in the negative were—

F. B. Adcock	S. J. Douthitt	Grover C. Johnson
John Young Brown	J. O. Evans	J. R. Johnston
James A. Campbell	Joseph B. Everhart	M. F. Jordan
Ben L. Cox	Kelly J. Francis	Dr. Vallandingham
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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

A Joint Resolution of the General Assembly of the Commonwealth of Kentucky

H. Res. 18. Joint Resolution for the benefit of Mary Kirk Ratliff of Boyd County, Kentucky, to reimburse her for

her services rendered the Commonwealth of Kentucky in the year 1927.

WHEREAS, Mary Kirk Ratliff holds a life certificate good for teaching in Pike County, Kentucky; and

WHEREAS, the said Mary Kirk Ratliff was employed by the Lawrence County Board of Education to teach in the Lawrence County public schools at a salary of $82.00 per month; and

WHEREAS, thinking her certificate valid for teaching in Lawrence County, she taught under said contract four months and eleven days in said county; and

WHEREAS, the certificate she holds is valid only in Pike County; and

WHEREAS, the Lawrence County Board of Education has received her services as teacher for four months and eleven days; and

WHEREAS, she has received no compensation for any part of said service; now, therefore:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Lawrence County Board of Education is hereby directed to draw a warrant on its Treasurer in favor of Mary Kirk Ratliff for the sum of $373.10, as payment in full for the four months and eleven days taught in Lawrence County, such warrant to be charged to the school fund of the Lawrence County Board of Education, and that the said sum be paid by the said Lawrence County Board of Education to the said Mary Kirk Ratliff as money is paid to teachers of the public schools.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows viz.:

Those who voted in the affirmative were—

E. S. Allison	J. W. Edwards	Joseph Martin
U. G. Anderson	William A. Eimer	James A. May
W. O. Baxter	Garland Embry	Geo. R. McIntosh
S. A. Blackburn	J. O. Evans	Henry Meiman
D. C. Bradley	Joseph B. Everhart	Clarence Miller
T. L. Britton	Virgil Eversole	M. F. Moore
John Young Brown	Kelly J. Francis	B. T. Morris
J. Watt Brown	John B. Furlong	H. L. Nickell
John R. Buckman	Ralph Gilbert	Fred A. Nolte
Dr. R. A. Byers	F. A. Gnau	Caleb A. Page
James A. Campbell	L. B. Hamilton	Curtis F. Park
Lee Clark	H. G. Handmaker	J. D. Patton
Bradley Combs	Robt. L. Horn	James I. Peters
Leonard Cook	C. E. Houk	John H. Pickett
W. W. Cooper	R. L. Jackson	John W. Preston
Ben L. Cox	Grover C. Johnson	W. E. Randall
H. G. Crabtree	J. Roy Johnson	Dorsey Ratliff
William J. Curtis	Theron M. Johnson	D. O. Stanley
J. J. Davis	J. R. Johnston	Frank L. Strange
Winn Davis	M. F. Jordan	J. A. Thompson
E. C. Dennington	A. R. Kincheloe	Thomas H. Troxel
James R. Dorman	John B. Klefot	H. Speed Tye
S. J. Douthitt	Frank LeBus	J. E. Walters
C. B. Dowling	Martin Light	L. M. Weathers
W. C. Dugan	Fred V. Lucas	G. W. Wigginton
Thomas Dunn	B. K. Marshall, Jr.	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 531. An Act to amend and re-enact Section 528 of Kentucky Statutes, Carroll's Kentucky Statutes, 6th Edition, 1922, relating to holding of inquests by coroner.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 528 of Kentucky Statutes, Carroll's Kentucky Statutes, 6th Edition, 1922, be and the same is hereby amended and re-enacted so that when it is so amended and re-enacted it will read as follows: Whenever the coroner is informed, by any reputable person, of the death of any person within his county, not attended by a regular, licensed and practicing physician, or when he has reason to believe a crime has been committed, or, whenever, in his judgment, it is proper to do so, to hold an inquest upon the body of such person whether he be slain, drowned, or otherwise suddenly killed or dies. His jury shall be composed of six good housekeepers of the county, summoned and sworn by himself, who, upon their oath, shall inquire and say in writing, if they know, in what manner and for what cause the person came to his death, when, where, how, and by whom such person may have been killed, drowned, or otherwise suddenly killed or died, and who were present at the time of his death, and if killed by violent or wrongful acts, who are culpable of the acts.

§ 2. That whenever any person dies suddenly or the death thereof is suspected or he is killed or drowned or otherwise killed, no undertaker shall bury such person until he first notifies the coroner and an inquest into the death of such person shall be held by the coroner.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Kincheloe offered the following Amendment to said bill, viz.:

Amend H. B. 531, Section 1, by striking out of lines 5 and 6 of Section 1 the words: "or whenever in his judgment it is proper to do so."

Said Amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James A. Campbell	J. W. Edwards
E. S. Allison	Lee Clark	Garland Embry
U. G. Anderson	Bradley Combs	J. O. Evans
William B. Ardery	Elmer Cook	Virgil Eversole
W. O. Baxter	Leonard Cook	Kelly J. Francis
S. A. Blackburn	W. W. Cooper	John B. Furlong
D. C. Bradley	Ben L. Cox	F. A. Gnau
T. L. Britton	William J. Curtis	Rev. B. L. Hargrove
John Young Brown	Winn Davis	J. F. Harrison
J. Watt Brown	E. C. Dennington	Robt. L. Horn
John R. Buckman	S. J. Douthitt	R. L. Jackson
Dr. R. A. Byers	W. C. Dugan	Grover C. Johnson

J. Roy Johnson	James A. May	John W. Preston
J. R. Johnston	T. R. McRoberts	Elmer J. Terry
M. F. Jordan	Henry Meiman	E. J. Thomas
A. R. Kincheloe	Clarence Miller	J. A. Thompson
John B. Klefot	H. L. Nickell	Thomas H. Troxel
Frank LeBus	Caleb A. Page	H. Speed Tye
Martin Light	Curtis F. Park	J. E. Walters
B. K. Marshall, Jr.	J. D. Patton	L. M. Weathers
Joseph Martin	John H. Pickett	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 311. An Act to amend and re-enact Section 3096 of the Kentucky Statutes, Carroll's Edition 1922, relating to improvement of public ways, costs, penalty, assessment of street railway, and street intersections.

H. B. 627. An Act to amend and re-enact Sec. 106a-1 and 1064a-4, Baldwin's Supplement to Kentucky Statutes, 1928 edition, relating to stenographers or clerks and fixing compensation therefor.

H. B. 723. Repealing 3783 of the Kentucky Statutes as amended March 23, 1920, Chapter 80, Page 376 and as further amended March 22, 1922.

H. B. 618. An Act authorizing cities of the second class to repair or replace sidewalks or to connect downspouts or

run same to the gutter and order repairs to sanitary sewers, etc.

S. B. 367. An Act amending Sec. 2739j-30 Kentucky Statutes, Baldwin's 1926 Kentucky Statutes Service, being Section 30 of Chapter 112 of Acts of 1926.

S. B. 323. An Act to establish as a part of the Primary System of State Highways a road leading from Columbia in Adair County.

S. B. 379. An Act to amend and re-enact Sec. 911 Kentucky Statutes, 1930 Edition, being chapter 157 of the Acts of the General Assembly of 1928.

S. B. 417. An Act to provide for the manufacture of license plates or tags for motor vehicles, etc.

S. B. 267. An Act to repeal an Act entitled "An Act for the establishment and maintenance at each of the State Hospitals for the Insane in Kentucky a training school for nurses."

S. B. 444. An Act relating to the adoption of Text Books in this Commonwealth and providing that not more than 33 1-3% of the Basal Text Books heretofore adopted.

S. B. 79. An Act to repeal Chapter 42 of the Acts of the 1924 Legislature and enact in lieu thereof an Act requiring the State Librarian to and directing him to furnish to the Law Library of the University.

H. Res. 52. Joint Resolution of the General Assembly of Kentucky whereas there are now pending before Congress two bills designated as H. B. 8000 and S. B. 3078 to provide for this designation, etc.

S. Res. 16. Resolution permitting Pan-American Bridge Co. to sue Commonwealth.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The Committee, heretofore appointed by the Speaker to act in conjunction with a like Committee from the Senate, and to wait upon the Governor for the purpose of ascertaining his wishes with regard to revenue legislation, offered the following report, viz.:

Frankfort, Kentucky,
March 17, 1930

We, the undersigned Committee appointed by the President of the Senate and Speaker of the House, to confer with Governor Sampson relative to his message of March 14, 1930, desire to make the following report.

After two conferences with the Governor, we find that he does not desire to designate specifically any source from which revenue should be obtained to liquidate the State debt and to defray the expenses of the State Government, but that he desires the General Assembly to refer to his different messages as to his ideas as to the source from which to raise revenue.

He has informed the Committee that if a definite program can be outlined as to the source or sources from which revenue may be raised, he will convene the General Assembly in extraordinary session, at a time convenient to the General Assembly, for the purpose of considering revenue measures.

Respectfully submitted,

GATES YOUNG
ALEX E. JOHNSON
E. C. MOORE
Senate Committee.
FRANK LEBUS
JOSEPH B. EVERHART
M. L. NAPIER
House Committee.

Ordered that said report be filed and spread upon the Journal.

Mr. Smith moved that the vote by which a bill entitled:

H. B. 42. An Act to amend and re-enact Sections 91 and 92 of the Constitution, etc.

Was announced rejected and laid on the table on Friday, March 14

Be reconsidered.

By unanimous consent of the House, said motion was agreed to.

Thereupon the House took up said bill for reconsideration.

(For bill see Journal of March 14)

After such reconsideration, the question was taken on the passage of said bill and it was decided in the negative, said bill failing to receive the three-fifths vote of all the members elected to the House, which is a constitutional majority for the passage of this bill proposing an amendment to the Constitution.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	H. G. Handmaker	Caleb A. Page
William B. Ardery	Rev. B. L. Hargrove	Curtis F. Park
T. L. Britton	J. F. Harrison	J. D. Patton
Bradley Combs	R. L. Jackson	James I. Peters
Winn Davis	J. Roy Johnson	John H. Pickett
W. C. Dugan	A. R. Kincheloe	John W. Preston
J. W. Edwards	Frank LeBus	W. E. Randall
William A. Eimer	Fred V. Lucas	Dorsey Ratliff
J. O. Evans	H. R. Marquette	Denny P. Smith
Joseph B. Everhart	B. K. Marshall, Jr.	E. J. Thomas
Virgil Eversole	Joseph Martin	Thomas H. Troxel
Kelly J. Francis	Geo. R. McIntosh	C. B. Truesdell
John B. Furlong	Clarence Miller	H. Speed Tye
Ralph Gilbert	M. F. Moore	Robert Williams
L. B. Hamilton	Fred A. Nolte	

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Those who voted in the negative were—

F. B. Adcock	William J. Curtis	F. Tyler Munford
E. S. Allison	E. C. Dennington	M. L. Napier
W. O. Baxter	S. J. Douthitt	H. L. Nickell
S. A. Blackburn	C. B. Dowling	D. O. Stanley
D. C. Bradley	Garland Embry	Frank L. Strange
John Young Brown	Robt. L. Horn	J. A Thompson
John R. Buckman	Grover C. Johnson	J. D. Via
James A. Campbell	M. F. Jordan	J. E. Walters
Lee Clark	John B. Klefot	L. M. Weathers
Leonard Cook	Martin Light	G. W. Wigginton
W. W. Cooper	James A. May	
Ben L. Cox	T. R. McRoberts	

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Mr. Dorman of Rules Committee moved that the vote by which said bill was reconsidered and rejected, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H.. B. 771. An Act appropriating Two Thousand Nine Hundred Fourteen ($2,914.83) Dollars and Eighty-three Cents to the Kentucky State Park Commission for the purpose of paying the indebtedness incurred by said Commission in excess of its budget appropriation for the maintenance, operation, and improvement of the Blue and Gray State Park, in Todd County, Kentucky, for the fiscal years ended June 30, 1927 and 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby appropriated to the Kentucky State Park Commission the sum of Two Thousand Nine Hundred Fourteen ($2,914.83) Dollars and Eighty-three Cents, to be paid out of the General Expenditure Fund, for the purpose of paying the indebtedness incurred by said Commission in excess of its budget appropriation for the maintenance, operation, and improvement of the Blue and Gray State Park, in Todd County, Kentucky, for the fiscal years ended June 30, 1927 and 1928.

§ 2. Before the Auditor shall allow any claim presented, he shall require of the claimant an itemized statement of the account, supported by affidavit to the effect that such claim is just, due, and unpaid.

§ 3. WHEREAS, This indebtedness has been in existence for a period of two years or more and the persons holding the claims are in need of their money and have lost two years interest, an emergency is declared to exist and this act shall become a law upon its passage and approval by the Governor.

Mr. Weathers offered the following Amendment thereto by way of Substitute therefor, viz.:

An Act relating to the Kentucky State Park Commission and validating and providing for the payment of bills incurred by said Commission during the biennial period from July 1, 1926, to June 30, 1928, not exceeding Eight Thousand Five Hundred Dollars ($8,500), and providing for the payment of said bills by said Commission.

WHEREAS, the Kentucky State Park Commission, during the biennial period beginning July 1, 1926, and ending June 30, 1928, incurred bills in excess of its appropriation for said biennial period which are now unpaid, in the amount of approximately Eight Thousand Five Hundred Dollars ($8,500), which bills were incurred for labor, materials, and supplies used in connection with the maintenance, improvement, and operation of said State Parks, under the jurisdiction and control of said Park Commission, and

WHEREAS, said claims are just charges against the Commonwealth of Kentucky and are unpaid: Now, Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1. The bills incurred by the Kentucky State Park Commission for labor, materials, supplies, and improvements for the various State parks during the biennial period which commenced July 1, 1926, and ended June 30, 1928, in excess of the revenues and appropriations available to said Commission during said biennial period for payment thereof, are hereby validated.

2. There is hereby appropriated to the Kentucky State Park Commission for the use and benefit of the respective State Park Commission for the use and benefit of the respective State parks under its jurisdiction and control, for paying the aforesaid bills, and for operation and maintenance of said

respective parks, all of the receipts, income, and profits derived from the operation on said respective parks.

3 The Kentucky State Park Commission is hereby authorized, empowered, and directed to pay the aforesaid bills when properly presented to the said Commission and proven to be correct and just charges, and when approved by said Commission and the Attorney General; said bills to be paid by said Commission from the moneys appropriated to said Commission for the biennial period beginning July 1, 1930, and ending June 30, 1932, including the income and receipts herein appropriated to said Commission; said bills to be paid only from the receipts, income, and appropriation made for the particular park for and on account of which said bills were incurred. That is to say, the bills incurred for and on account of the Kentucky Natural Bridge State Park shall be paid from the appropriation for said park or from the receipts and income and profit which may be derived from the operation of said park; the bills incurred for and on account of the Cumberland State Park shall be paid from the appropriation for said park or from the receipts, income, and profits which may be derived from the operation of said park; and the bills incurred for and on account of the Blue and Gray State Park shall be paid from the appropriation made for said park or from the receipts, income, and profits which may be derived from the operation of said park.

4. All laws in conflict herewith, to the extent of such conflict, are hereby repealed.

Said Substitute was adopted.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Garland Embry	Geo. R. McIntosh
E. S. Allison	J. O. Evans	Henry Meiman
U. G. Anderson	Joseph B. Everhart	Clarence Miller
William B. Ardery	Virgil Eversole	F. Tyler Munford
W. O. Baxter	John B. Furlong	L. B. Murphy
D. C. Bradley	F. A. Gnau	H. L. Nickell
John Young Brown	L. B. Hamilton	Fred A. Nolte
Dr. R. A. Byers	H. G. Handmaker	Caleb A. Page
James A. Campbell	Rev. B. L. Hargrove	Curtis F. Park
Leonard Cook	C. E. Houk	J. D. Patton
W. W. Cooper	Grover C. Johnson	John H. Pickett
Ben L. Cox	Theron M. Johnson	John W. Preston
H. G. Crabtree	J. R. Johnston	Frank L. Strange
William J. Curtis	M. F. Jordan	Elmer J. Terry
J. J. Davis	A. R. Kincheloe	Thomas H. Troxel
James R. Dorman	John B. Klefot	Speed H. Tye
S. J. Douthitt	Frank LeBus	Dr. Vallandingham
C. B. Dowling	Martin Light	J. E. Walters
W. C. Dugan	B. K. Marshall, Jr.	L. M. Weathers
J. W. Edwards	Joseph Martin	G. W. Wigginton
William A. Eimer	James A. May	Robert Williams

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Those who voted in the negative were—

S. A. Blackburn	E. C. Dennington	T. R. McRoberts
T. L. Britton	Kelly J. Francis	M. F. Moore
J. Watt Brown	J. F. Harrison	W. E. Randall
John R. Buckman	R. L. Jackson	Dorsey Ratliff
Elmer Cook	J. Roy Johnson	E. J. Thomas

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by

which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the day a resolution entitled:

H. Res. 43. A Joint Resolution for the benefit of certain employees who care for the State Capitol and grounds in compensation for extra services rendered to and by reason of the 1930 session of the General Assembly.

WHEREAS, J. N. Smith, Forest Standford, M. L. Lawrence, Ed Smyser, Robert Russell, Robert Irvin, William Mason, Willie Gay and Joe McElroy are employees in and about the State Capitol and grounds whose work has been largely increased during the present session of the General Assembly, and whereas it has been necessary for them to work overtime to keep the Capitol and grounds clean and presentable, now, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That the employees mentioned in the preamble and each of them be and they are hereby allowed the sum of $1 per day for each day of the present session of the present General Assembly which allowance shall be in addition to what they now receive for their services as above set out. The amounts shall be paid to each of them by the Treasurer out of any funds not otherwise appropriated upon warrant drawn on him by the Auditor of Public Accounts.

Mr. Weathers offered the following Amendment to said resolution, viz.:

Amend H. Res. 43 by adding to the preamble before the enacting clause on the printed bill the following:

"and Whereas, G. W. Lawrence and J. V. Carter are employees engaged in operating elevators in the Capitol whose work has been greatly increased during this General Assembly."

Said amendment was agreed to.

Ordered that said resolution be engrossed and be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	E. C. Dennington	C. E. Houk
U. G. Anderson	James R. Dorman	R. L. Jackson
William B. Ardery	S. J. Douthitt	Grover C. Johnson
W. O. Baxter	Thomas Dunn	R. L. Jackson
S. A. Blackburn	J. W. Edwards	M. F. Jordan
John Young Brown	Garland Embry	A. R. Kincheloe
James A. Campbell	J. O. Evans	Frank LeBus
Lee Clark	Virgil Eversole	H. R. Marquette
Bradley Combs	Kelly J. Francis	Joseph Martin
Elmer Cook	John B. Furlong	James A. May
Leonard Cook	F. A. Gnau	Geo. R. McIntosh
W. W. Cooper	L. B. Hamilton	Henry Meiman
Ben L. Cox	H. G. Handmaker	Harry J. Meyers
J. J. Davis	J. F. Harrison	Clarence Miller

M. F. Moore	Dorsey Ratliff	H. Speed Tye
F. Tyler Munford	D. O. Stanley	Dr. Vallandingham
M. L. Napier	Frank L. Strange	J. D. Via
Fred A. Nolte	Elmer J. Terry	J. E. Walters
Curtis F. Park	E. J. Thomas	L. M. Weathers
John H. Pickett	Thomas H. Troxel	Robert Williams
John W. Preston	C. B. Truesdell	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 320. An Act fixing license tax on loan companies and exempting banks, trust companies, building and loan associations, and persons, firms, and corporations loaning money on real estate and providing that all pending actions, prosecutions or proceedings against persons, firms, or corporations loaning money on real estate shall be dismissed and repealing so much of section 4224 of Kentucky Statutes relating to loan companies and all laws or parts of laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That each person, firm, or corporation doing business as a loan company, such loan company before engaging in said business shall procure a license and pay the following tax, namely, an annual license tax of Two Hundred and Fifty Dollars, ($250.00).

This Act shall not apply to banks, trust companies, building and loan associations or persons, firms, or corporations loaning money on real estate by mortgage. Providing, however, that any pending actions, prosecutions, or proceedings against such persons, firms, or corporations loaning money on real estate for the collection of a Two Hundred and Fifty Dollar ($250.00) license tax under section 4224 of Kentucky Statutes shall be dismissed, and said persons, firms, or corporations loaning money on real estate shall not be liable under said section for said license tax.

So much of section 4224 pertaining to loan companies and all laws or parts of laws conflicting herewith are hereby repealed.

Mr. Marshall offered the following amendment to said bill, viz.:

Amend H. B. 320 by making it read "Kentucky Statutes, Section 4224 a-1" wherever it now reads "Kentucky Statutes, Section 4224."

Said Amendment was agreed to.

Mr. Thompson offered the following amendment to said bill, viz.:

Amend H. B. 320 by striking out the word "person" in line 1.

Said amendment was disagreed to.

Mr. Eimer moved that said bill be tabled.

Said last named motion was disagreed to.

Ordered that said bill be engrossed and read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	Joseph B. Everhart	Geo. R. McIntosh
William B. Ardery	Kelly J. Francis	Clarence Miller
S. A. Blackburn	F. A. Gnau	M. F. Moore
T. L. Britton	H. G. Handmaker	H. L. Nickell
Bradley Combs	Rev. B. L. Hargrove	Fred A. Nolte
W. W. Cooper	Robt. L. Horn	Caleb A. Page
William J. Curtis	R. L. Jackson	James I. Peters
J. J. Davis	A. R. Kincheloe	John H. Pickett
E. C. Dennington	Frank LeBus	John W. Preston
James R. Dorman	Martin Light	W. E. Randall
C. B. Dowling	H. R. Marquette	E. J. Thomas
W. C. Dugan	B. K. Marshall, Jr.	
J O. Evans	Joseph Martin	—41

Those who voted in the negative were—

F. B. Adcock	Garland Embry	M. L. Napier
W. O. Baxter	John B. Furlong	Curtis F. Park
D. C. Bradley	L. B. Hamilton	J. D. Patton
John Young Brown	J. F. Harrison	Dorsey Ratliff
J. Watt Brown	Grover C. Johnson	Frank L. Strange
John R. Buckman	J. Roy Johnson	J. A. Thompson
Dr. R. A. Byers	J. R Johnston	Thomas H. Troxel
James A. Campbell	M. F. Jordan	C. B. Truesdell
Lee Clark	James A. May	H. Speed Tye
Elmer Cook	T. R. McRoberts	Dr. Vallandingham
Ben L. Cox	Henry Meiman	J. E. Walters
S. J. Douthitt	Harry J. Meyers	G. W. Wigginton
Thomas Dunn	F. Tyler Munford	Robert Williams
William A. Eimer	L. B. Murphy	—37

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

S. Res. 31. A Resolution authorizing J. B. Betts, of Nicholasville, Kentucky, to sue the State of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

WHEREAS, upon July 1st, 1924, the State of Kentucky and its State Highway Commission entered into a contract with J. B. Betts, of Nicholasville, Kentucky, for the construction of a road from Mt. Vernon to Roundstone, at or near Mt. Vernon, Rockcastle county, Kentucky; and

WHEREAS, said J. B. Betts did proceed under the orders and directions of the State of Kentucky, the State Highway Commission and agents of said State and Commission to perform said contract; and

WHEREAS, a controversy exists between said parties as to whether the State owes the said J. B. Betts of Nicholasville, Kentucky, any further sum on account of said contract and agreements, than the State has heretofore paid thereon, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That J. B. Betts, of Nicholasville, Kentucky, be authorized and permitted to bring and prosecute a suit in the

Franklin county circuit court or any other court at Frankfort, Kentucky, of competent jurisdiction against the Commonwealth of Kentucky, State Highway Commission and members thereof and the State Highway Engineer as such, under the style of J. B. Bets against the Commonwealth of Kentucky, the State Highway Commission and said engineer, in order to settle said controversy and to determine whether or not there is due and unpaid to the said J. B. Betts any further sum growing out of said contract, not to exceed the sum of thirty thousand ($30,000.00) dollars.

§ 2. Either party to said suit may appeal from any judgment which may be rendered therein, as in other civil cases, and to such appellate courts as are provided by law. The controversy may be settled and adjusted in the same way as other civil cases.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Lee Clark	C. B. Dowling
U. G. Anderson	Bradley Combs	W. C. Dugan
William B. Ardery	Elmer Cook	Thomas Dunn
W. O. Baxter	Leonard Cook	J. W. Edwards
S. A. Blackburn	W. W. Cooper	William A. Eimer
D. C. Bradley	Ben L. Cox	Garland Embry
T. L. Britton	H. G. Crabtree	J. O. Evans
John Young Brown	Winn Davis	Kelly J. Francis
John R. Buckman	James R. Dorman	John B. Furlong
James A. Campbell	S. J. Douthitt	L. B. Hamilton

H. G. Handmaker
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
Frank LeBus
Martin Light
Joseph Martin
James A. May
T. R. McRoberts
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
Tyler F. Munford
L. B. Murphy
M. L. Napier
H. L. Nickell
Fred A. Nolte
Curtis F. Park
J. D. Patton
James I. Peters
John H. Pickett
John W. Preston
W. E. Randall
Dorsey Ratliff
D. O. Stanley
Frank L. Strange
E. J. Thomas
J. A. Thompson
Thomas H. Troxel
C. B. Truesdell
H. Speed Tye
J. D. Via
J. E. Walters
L. M. Weathers
G. W. Wigginton
Robert Williams

—73

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 37. An Act to amend and re-enact section seventeen hundred sixty-three of Carroll's Kentucky Statutes, nineteen hundred twenty-two edition, as amended by Chapter one hundred twenty-one of the Acts of the General Assembly of 1928, and to provide for the fixing of salaries of the Chief Deputy Circuit Court Clerk and of the other deputies in the Office of the Circuit Court Clerk in counties having a population of two hundred thousand or over.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section seventeen hundred sixty-three of Carroll's Kentucky Statutes, nineteen hundred twenty-two edition, as amended by Chapter one hundred twenty-one of the Acts of the General Assembly of 1928, be and the same hereby is amended by adding thereto the following proviso:

And provided further that in counties having a population of two-hundred thousand or over the salary of the Chief Deputy Circuit Court Clerk shall be fixed at a reasonable amount not exceeding twenty-five hundred dollars ($2500.00) a year, and the salary of each of the other deputies in the office of the Circuit Court Clerk shall be fixed at a reasonable amount not exceeding two thousand dollars ($2000.00) per year, so that when said section seventeen hundred sixty-three is amended and re-enacted the same shall read as follows:

"The salary of the chief depty of each of said officers shall be two thousand dollars ($2000.00) per year, and the salary of each of the other deputies shall be fixed at a reasonable amount not exceeding fifteen hundred dollars ($1500.00) per year, provided that in counties having a population of two hundred thousand (200,000) or over the salary of the chief deputy sheriff shall be fixed at a reasonable amount not exceeding twenty-five hundred dollars ($2500.00) a year and the salary of each of the other deputy sheriffs shall be fixed at a reasonable amount not exceeding two thousand dollars ($2000.00) per year, and provided further that in counties having a population of two hundred thousand (200,000) or over the salary of the chief deputy Circuit Court Clerk shall be fixed at a reasonable amount not exceeding twenty-five hundred dollars ($2500.00) a year, and the salary of each of the other deputies in the office of the Circuit Court Clerk shall be fixed at a reasonable amount not exceeding two thousand dollars ($2000.00) per year."

§ 2. The necessity for efficient and adequately compensated help and assistance in the conduct of the office of the

Circuit Court Clerk in counties having a population of two hundred thousand ($200,000) or over is immediate and urgent, and therefore an emergency is hereby declared to exist, and this act shall take effect immediately after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Joseph B. Everhart	Henry Meiman
U. G. Anderson	Virgil Eversole	Clarence Miller
William B. Ardery	John B. Furlong	M. F. Moore
W. O. Baxter	F. A. Gnau	Fred A. Nolte
T. L. Britton	L. B. Hamilton	Curtis F. Park
John R. Buckman	H. G. Handmaker	J. D. Patton
James A. Campbell	Rev. B. L. Hargrove	John W. Preston
Lee Clark	R. L. Jackson	W. E. Randall
Bradley Combs	Grover C. Johnson	Dorsey Ratliff
Elmer Cook	Theron M. Johnson	D. O. Stanley
W. W. Cooper	J. R. Johnston	Frank L. Strange
Ben L. Cox	A. R. Kincheloe	E. J. Thomas
Winn Davis	Frank LeBus	J. A. Thompson
E. C. Dennington	Martin Light	Thomas H. Troxel
Thomas Dunn	H. R. Marquette	C. B. Truesdell
J. W. Edwards	Joseph Martin	H. Speed Tye
William A. Eimer	James A. May	Dr. Vallandingham
Garland Embry	Geo. R. McIntosh	J. D. Via
J. O. Evans	T. R. McRoberts	J. E. Walters

—57

There voted in the negative—

D. C. Bradley	Leonard Cook	F. Tyler Munford
John Young Brown	James R. Dorman	James I. Peters
J. Watt Brown	Kelly J. Francis	
Dr. R. A. Byers	M. F. Jordan	—10

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 202. An Act to repeal chapter 52 of the Acts of the General Assembly of 1928 relating to a supervisory attendance officer for public schools.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That chapter 52 of the 1928 Acts of the General Assembly of Kentucky, entitled:

"An Act providing for supervisory attendance officers and setting out their qualifications, and repealing section four thousand three hundred and ninety-nine a-twelve, Kentucky Statutes, Carroll's one thousand nine hundred and twenty-two edition," and being section 4399b-1, Carroll's Kentucky Statutes and Code of Practice, Baldwin's 1928 Supplement, be, and the same is, hereby repealed.

Mr. Weathers moved the Previous Question.

Whereupon the Speaker announced, "Shall the main question be now put?"

Which was decided in the affirmative.

Mr. Francis moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Gnau moved that the consideration of said bill be postponed indefinitely.

Said motion was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Thomas Dunn	R. L. Jackson
U. G. Anderson	J. W. Edwards	Grover C. Johnson
W. O. Baxter	William A. Eimer	Theron M. Johnson
D. C. Bradley	Garland Embry	J. R. Johnston
T. L. Britton	J. O. Evans	M. F. Jordan
Lee Clark	Joseph B. Everhart	Frank LeBus
Bradley Combs	Virgil Eversole	Martin Light
W. W. Cooper	John B Furlong	H. R. Marquette
H. G. Crabtree	L. B. Hamilton	James A. May
James R. Dorman	H. G. Handmaker	Geo. R. McIntosh
S. J. Douthitt	Rev. B. L. Hargrove	T. R. McRoberts
C. B. Dowling	C. E. Houk	Henry Meiman

Harry J. Meyers	J. D. Patton	J. A. Thompson
Clarence Miller	James I. Peters	Thomas H. Troxel
M. F. Moore	John H. Pickett	C. B. Truesdell
F. Tyler Munford	John W. Preston	H. Speed Tye
M. L. Napier	W. E. Randall	J. E. Walters
H. L. Nickell	D. O. Stanley	L. M. Weathers
Curtis F. Park	Frank L. Strange	Robert Williams

—57

Those who voted in the negative were—

John Young Brown	John R. Buckman	E. C. Dennington
J. Watt Brown	Ben L. Cox	Kelly J. Francis

—6

Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

H. B. 503. An Act to amend chapter 127 of the Acts of General Assembly of Commonwealth of Kentucky, approved March 19, 1928; An Act to amend an Act of the General Assembly of the Commonwealth of Kentucky, approved March 19, 1928.

H. B. 229. An Act authorizing the Governor, Circuit Judge of Breathitt county and the County Judge of Breathitt County to appoint members to a "Soldiers' Memorial Board of Breathit County."

H. B. 94. An Act providing that no city of the 4th, 5th or 6th class or town which is or may hereafter be in said clas-

sification shall sell, convey, lease or mortgage or encumber in any manner a water work system.

H. B. 214. An Act requiring domestic, fire, casualty, industrial, life, accident and assessment Insurance Companies incorporated under the law of the Commonwealth of Kentucky or doing business in Kentucky to make deposits of securities and property with the Insurance Commissioner.

H. B. 277. An Act to amend Chapter 90b, Section 3720b Carroll's Kentucky Statutes, 1922 Edition, entitled negotiable instruments in general.

H. B. 225. An Act to provide money for the maintenance and furnishing of a county hospital in counties having a city of the 5th or 6th class.

H. B. 326. An Act to enable cities of the first class to construct a public hospital or hospitals or to construct a home or homes for the aged and infirm.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills, duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. LeBus moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, MARCH 18, 1930.

The House opened with prayer by the Reverend Father Edward G. Klosterman of the Roman Catholic Church, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock
E. S. Allison
U. G. Anderson
William B. Ardery
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John Young Brown
J. Watt Brown
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
G. Cunningham
William J. Curtis
J. J. Davis
Winn Davis
E. C. Dennington
James R. Dorman
S. J. Douthitt
C. B. Dowling
W. C. Dugan
Thomas Dunn
J. W. Edwards
William A. Eimer
Garland Embry
J. O. Evans
Joseph B. Everhart
Virgil Eversole
Kelly J. Francis
John B. Furlong
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
Robt. L. Horn
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
Theron M. Johnson
J. R. Johnston
M. F. Jordan
A. R. Kincheloe
John B. Klefot
Frank LeBus
Martin Light
Fred V. Lucas
H. R. Marquette

B. K. Marshall, Jr.	H. L. Nickell	Elmer J. Terry
Joseph Martin	Fred A. Nolte	E. J. Thomas
James A. May	Caleb A. Page	J. A. Thompson
Geo. R. McIntosh	Curtis F. Park	Thomas H. Troxel
T. R. McRoberts	J. D. Patton	C. B. Truesdell
Henry Meiman	James I. Peters	H. Speed Tye
Harry J. Meyers	John H. Pickett	Dr. Vallandingham
Clarence Miller	John W. Preston	J. D. Via
Russell O. Miller	Dorsey Ratliff	J. E. Walters
M. F. Moore	Denny P. Smith	L. M. Weathers
B. T. Morris	D. O. Stanley	G. W. Wigginton
F. Tyler Munford	Frank L. Strange	Robert Williams
Andrew W. Nichols	H. L. Taylor	J. S. Milliken, Spkr.

Mr. Dorman of the Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that when the hour of twelve o'clock Meridian arrives today, that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

Mr. Strange produced the following communication from the Mayor of Horse Cave, viz.:

RESOLUTIONS OF GRATITUDE

State of Kentucky,
County of Hart,
Town of Horse Cave,

WHEREAS, the Governor and the Legislators of the state of Kentucky are visiting the Mammoth Cave National Park area March 15, 1930, we the citizens of Horse Cave as represented by the officials whose names appear hereunto subscribed do now avail ourselves of the opportunity thus afforded to express our views and deep appreciation for their official acts in connection with the "Strange-McBrayer Bill" February 1930.

THEREFORE, BE IT RESOLVED:

In our estimation no Governor, General Assembly or State Officers have ever supported a measure with more latitude and greater abiding benefit to the entire State than the above act providing the necessary funds by which the famous wonder of the world, Mammoth Cave, may be preserved, and an area of more than seventy thousand acres may be fashioned, dressed and kept as a playground and recreation park for the hosts who may come throughout all future centuries.

That we pay tribute worthily to all who with the General Assembly and Governor F. D. Sampson have lent their aid and assistance in behalf of this State and Nation wide enterprise.

This at the place above mentioned on the 15th Day of March 1930

S. L. GOIN, *Mayor*
E. E. PALMORE, *President Chamber of Commerce*
W. S. CARVER, *Director M. C. National Park Association, Hart County.*

Said communication was read by the Clerk and ordered to be spread upon the Journal.

A message was received from the Senate announcing that they had adopted the following resolutions, viz.:

SENATE RESOLUTION 41.

WHEREAS, the members of the General Assembly of Kentucky of 1930 have just returned from a trip to the Mammoth Cave National Park Area, in which the Commonwealth of Kentucky now has a monetary interest, and

WHEREAS, State Highway No. 70, from Cave City, Kentucky, to Mammoth Cave, Kentucky, is now a traffic bound macadam road, and is very disagreeable for tourists to travel on, and

WHEREAS, many thousands of tourists from Kentucky and other states and foreign countries travel this road each year.

New, Therefore, Be It Resolved, by the Senate, the House concurring therein:

That the State Highway Commission of Kentucky is hereby respectfully requested to immediately, or as soon as practicable, oil or treat said State Highway No. 70 and widen or straighten same, if possible.

A copy of this resolution shall be delivered to the State Highway Commission of Kentucky.

SENATE RESOLUTION 42.

WHEREAS, the passage of the Strange-McBrayer Act, one of the outstanding events of the General Assembly of Kentucky of 1930, was celebrated by the excursion of both Houses of the Legislature and State officials to the Mammoth Cave National Park Area on March 15th and 16th, 1930, and

WHEREAS, more than three hundred members of the Legislature and their families and State officials spent two days on said excursion visiting Mammoth Cave, Great Onyx Cave, Crystal Cave, New Entrance, and other caves and scenic attractions in the park area, as guests of the Mammoth Cave National Park Association and the various cave owners, and

WHEREAS, this was the greatest excursion ever made in Kentucky, as the party included Senators, Representatives,

and State officials from the Bluegrass, the Mountains, the Pennyrile, and the Purchase, and

WHEREAS, the members of said party were astounded, thrilled, and overawed by the majestic beauty and magnitude of this underground world which excels in beauty and grandeur any natural phenomenon yet discovered, and

WHEREAS, the people of Bowling Green, Cave City, Horse Cave, Glasgow, and the park vicinity showered great hospitality on the visitors, and

WHEREAS, we were given a grand reception at Bowling Green and inspired by the banquet and program at Western Kentucky Teachers College, and

WHEREAS, said excursion was likened to the triumphant return of a victorious army, applauded by throngs of their admiring countrymen:

New, Therefore, Be It Resolved, by the Senate, the House of Representatives concurring:

That we extend our united thanks to the Louisville & Nashville Railroad Company for their assistance; that we extend our thanks to the people of Bowling Green for their hearty reception; that we extend to the Western Kentucky Teachers College our thanks for the banquet and program rendered; that we extend our thanks to the people of Cave City for their reception and for their transportation to and from the different caves within the park area; that we extend our thanks to the people of Horse Cave for their reception; that we extend our thanks to Western Kentucky Teachers College and the City of Glasgow for their bands that entertained the party during its stay at the caves; that we extend our thanks to the cave owners for their great kindness and hospitality; and that we extend the thanks of all proud Kentuckians to the Mammoth Cave National Park Association for this great national park, and for the greatest excursion ever made in Kentucky.

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the cities of Bowling Green, Cave City, Horse

Cave, and Glasgow, and the Western Kentucky Teachers College and the owners of Crystal Cave, Great Onyx Cave and New Entrance Cave, and the Mammoth Cave National Park Association.

Said resolutions were each concurred in.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 104. An Act to amend chapter 67, sections 3 and 5 of the Acts of the General Assembly of 1928, by appending clause to section 3 requiring fishermen to have license in their possession when fishing, and amending section 5 requiring all non-residents to purchase fishing license.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That chapter 67, section 3 of the Acts of the General Assembly of 1928 be amended by adding or appending to said section 3 of chapter 67 these words: Any person, resident or non-resident required by law to procure a fishing license shall have fishing license on his or her person when fishing in the public waters of this state and be required to show such license to any game warden or other officer of the law whose duty it is to enforce this act. Said section 3 of chapter 67 when re-enacted and amended shall read as follows: All licenses shall be dated when issued and shall also authorize the person named and described therein to fish during the calendar year and then only within the regulations and restrictions provided by law. All fishing licenses shall be numbered consecutively at the time they are printed and non-resident and resident blanks shall be furnished by the Game and Fish Commission to the Clerks of the various counties.

The resident and non-resident blanks shall be printed in different colors. Any person resident or non-resident required by law to procure a fishing license shall have such fishing license on his or her person when fishing in the public waters of this state and be required to show such fishing license to any game warden or other officer of the law whose duty it is to enforce this act.

§ 2. That Chapter 67, section 5 of the Acts of the General Assembly of of 1928 shall be amended by substituting for the words "any male adult non-resident or alien in this state" the words, "any non-resident or alien in this state regardless of age or sex," so that chapter 67, section 5, when so amended and re-enacted shall read as follows: Any non-resident or alien in this state regardless of age or sex or who has not been a resident of this state for one year may procure a license for fishing by filing his or her affidavit with the county court clerk of any county in this state, stating his age, place of residence, post office address, height, color, color of eyes and hair and the fact whether he or she can write their name and by paying to said county clerk the sum of two dollars and fifty cents, which license shall entitle he or she to fish in all counties of this state, after receiving the permission of the owner or agent of any waters in which he or she may wish to fish. The county clerk shall retain of the money received for such non-resident license the sum of fifty cents to cover the swearing of the applicant to the affidavit referred to in this act and all other service under this act and shall pay the balance to the State Treasurer on the first of each month, which amount shall be converted into the Game and Fish Protection Fund and said county clerk shall report to the State Game and Fish Commission on the first day of each month the number of licenses issued and the amount of money remitted to the State Treasurer.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Garland Embry	Harry J. Meyers
U. G. Anderson	J. O. Evans	Clarence Miller
W. O. Baxter	Joseph B. Everhart	Russell O. Miller
S. A. Blackburn	Kelly J. Francis	M. F. Moore
D. C. Bradley	John B Furlong	B. T. Morris
T. L. Britton	F. A. Gnau	F. Tyler Munford
John R. Buckman	L. B. Hamilton	H. L. Nickell
Dr. R. A. Byers	H. G. Handmaker	Fred A. Nolte
James A. Campbell	Rev. B. L. Hargrove	Caleb A. Page
Lee Clark	J. F. Harrison	J. D. Patton
Bradley Combs	Robt. L. Horn	James I. Peters
Elmer Cook	R. L. Jackson	John H. Pickett
Leonard Cook	Grover C. Johnson	John W. Preston
W. W. Cooper	J. Roy Johnson	W. E. Randall
Ben L. Cox	J. R. Johnston	Dorsey Ratliff
H. G. Crabtree	M. F. Jordan	Denny P. Smith
G. Cunningham	A. R. Kincheloe	D. O. Stanley
J. J. Davis	John B. Klefot	Frank L. Strange
Winn Davis	Frank LeBus	J. A. Thompson
E. C. Dennington	Martin Light	Thomas H. Troxel
James R. Dorman	Fred V. Lucas	H. Speed Tye
S. J. Douthitt	H. R. Marquette	Dr. Vallandingham
C. B. Dowling	James A. May	L. M. Weathers
W. C. Dugan	Geo. R. McIntosh	G. W. Wigginton
J. W. Edwards	T. R. McRoberts	Robert Williams
William A. Eimer	Henry Meiman	—77

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills of the following titles, viz.:

H. B. 649. An Act establishing as a part of the primary system of roads and highways a road in Letcher County.

H. B. 650. An Act relating to primary system of roads and highways.

H. B. 653. An Act relating to primary system of roads and highways.

H. B. 661. An Act relating to primary system of roads and highways.

H. B. 663. An Act relating to primary system of roads and highways.

H. B. 664. An Act relating to primary system of roads and highways.

H. B. 665. An Act relating to primary system of roads and highways.

H. B. 666. An Act relating to primary system of roads and highways.

H. B. 667. An Act relating to primary system of roads and highways.

H. B. 669. An Act relating to primary system of roads and highways.

H. B. 670. An Act relating to primary system of roads and highways.

H. B. 671. An Act relating to primary system of roads and highways.

H. B. 672. An Act relating to primary system of roads and highways.

H. B. 673. An Act relating to primary system of roads and highways.

H. B. 674. An Act relating to primary system of roads and highways.

H. B. 680. An Act relating to primary system of roads and highways.

H. B. 685. An Act relating to primary system of roads and highways.

H. B. 686. An Act relating to primary system of roads and highways.

H. B. 687. An Act relating to primary system of roads and highways.

H. B. 688. An Act relating to primary system of roads and highways.

H. B. 691. An Act relating to primary system of roads and highways.

H. B. 694. An Act relating to primary system of roads

H. B. 695. An Act relating to primary system of roads and highways.

H. B. 699. An Act relating to primary system of roads and highways.

H. B. 700. An Act relating to primary system of roads and highways.

H. B. 701. An Act relating to primary system of roads and highways.

H. B. 711. An Act relating to primary system of roads and highways.

H. B. 712. An Act relating to primary system of roads and highways.

H. B. 715. An Act relating to primary system of roads and highways.

H. B. 716. An Act relating to primary system of roads and highways.

H. B. 730. An Act relating to primary system of roads and highways.

H. B. 731. An Act relating to primary system of roads and highways.

H. B. 732. An Act relating to primary system of roads and highways.

H. B. 733. An Act relating to primary system of roads and highways.

H. B. 734. An Act relating to primary system of roads and highways.

H. B. 738. An Act relating to primary system of roads and highways.

H. B. 739. An Act relating to primary system of roads and highways.

H. B. 747. An Act relating to primary system of roads and highways.

H. B. 748. An Act relating to primary system of roads and highways.

H. B. 752. An Act relating to primary system of roads and highways.

H. B. 754. An Act relating to primary system of roads and highways.

H. B. 760. An Act relating to primary system of roads and highways.

H. B. 761. An Act relating to primary system of roads and highways.

H. B. 762. An Act relating to primary system of roads and highways.

H. B. 767. An Act relating to primary system of roads and highways.

H. B. 774. An Act relating to primary system of roads and highways.

H. B. 775. An Act relating to primary system of roads and highways.

H. B. 515. An Act relating to public roads and amending Sec. 4356t-5 of article 2 of chapter 282, Kentucky Statutes.

H. B. 547. An Act relating to primary system of roads and highways.

H. B. 566. An Act relating to primary system of roads and highways.

H. B. 568. An Act relating to primary system of roads and highways.

H. B. 570. An Act relating to primary system of roads and highways.

H. B. 581. An Act relating to primary system of roads and highways.

H. B. 585. An Act relating to primary system of roads and highways.

H. B. 590. An Act relating to primary system of roads and highways.

H. B. 592. An Act relating to primary system of roads and highways.

H. B. 598. An Act relating to primary system of roads and highways.

H. B. 600. An Act relating to primary system of roads and highways.

H. B. 606. An Act relating to primary system of roads and highways.

H. B. 607. An Act relating to primary system of roads and highways.

H. B. 608. An Act relating to primary system of roads and highways.

H. B. 609. An Act relating to primary system of roads and highways.

H. B. 610. An Act relating to primary system of roads and highways.

H. B. 613. An Act relating to primary system of roads and highways.

H. B. 615. An Act relating to primary system of roads and highways.

H. B. 617. An Act relating to primary system of roads and highways.

H. B. 625. An Act relating to primary system of roads and highways.

H. B. 626. An Act relating to primary system of roads and highways.

H. B. 629. An Act relating to primary system of roads and highways.

H. B. 630. An Act relating to primary system of roads and highways.

H. B. 631. An Act relating to primary system of roads and highways.

H. B. 633. An Act relating to primary system of roads and highways.

H. B. 638. An Act relating to primary system of roads and highways.

H. B. 639. An Act relating to primary system of roads and highways.

H. B. 640. An Act relating to primary system of roads and highways.

H. B. 648. An Act relating to primary system of roads and highways.

H. Res. 35. A Resolution providing for the participation of the Commonwealth in the celebration of the 105th anniversary of the foundation of Transylvania.

H. Res. 38. Resolution for the benefit of the Kentucky Children's Bureau.

H. B. 276. An Act relating to fiduciaries, and to the liability of persons dealing with fiduciaries.

H. B. 356. An Act requiring the State Librarian to and directing him to furnish to the Law Library of the University of Louisville, two sets of the Acts.

H. B. 400. An Act relating to certain funds for district or county sanatoria, as levied by fiscal courts.

H. B. 474. An Act concerning the title records and leases of land owned or leased by the State.

H. B. 742. An Act to authorize the State Board of Charities and Corrections to lease and equip additional lands and buildings to be used as dormitories.

H. B. 327. An Act to enable cities of the 1st class to provide for City Planning and Zoning, etc.

H. B. 349. An Act to appropriate $530.86 for the use of the office of State Treasurer to pay the deficiency in the budget.

H. B. 354. An Act to enable any city of the 1st class which has adopted a major street plan to, at any time or times and as often as it may desire, in its discretion to widen, alter, or extend the major streets, etc.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

And that they had passed bills which originated in the Senate. of the following titles, viz.:

S. B. 400. An Act to appropriate $74,505.45 for purpose of providing for payment of deficit in budget of custodian of Public Buildings, etc.

S. Res. 28. Resolution to permit N. B. Sutton and A. S. Turner to sue the Commonwealth of Kentucky.

S. Res. 40. A Resolution authorizing Mir & Welch, of Nicholasville, Kentucky, to sue the State of Kentucky and the State Highway Commission.

S. B. 293. An Act to amend and re-enact Section 301, Kentucky Statutes, Carroll's 1922 Edition, same being Chapter 32 of the Acts of the General Assembly of 1914, relating to the powers and duties of the Board of Visitors of the Kentucky School for the Blind.

S. B. 299. To fix fees that may be charged by persons authorized to take depositions, and enlarging the jurisdiction in which such persons may take depositions and providing that such depositions may be taken in shorthand on written notice.

S. B. 398. An Act to regulate the issue of script or other evidences of debt and providing that sufficient identification shall be shown on such script.

S. B. 404. An Act relating to motor vehicles, providing for the repeal, amendment, and re-enactment of Subsection (b) of Section 2739g-2 of Carroll's Kentucky Statutes.

S. B. 454. An Act to make it the duty of the Clerks of the Senate index the Journals of the General Assembly.

S. B. 453. An Act to amend section one of chapter 1991 of the Acts of the General Assembly of 1926, Carroll's Edition of 1930.

S. B. 357. An Act to establish road project beginning at a point on Highway No. 81 near Dr. Spicer's farm, extending to and connecting with highway No. 81 near Semiway.

S. B. 358. An Act relating to a primary system of roads and highways.

S. B. 363. An Act relating to a primary system of roads and highways.

S. B. 436. An Act relating to a primary system of roads and highways.

S. B. 443. An Act relating to a primary system of roads and highways.

S. B. 446. An Act relating to a primary system of roads and highways.

S. B. 447. An Act relating to a primary system of roads and highways.

S. B. 448. An Act relating to a primary system of roads and highways.

S. B. 451. An Act relating to a primary system of roads and highways.

S. B. 408. An Act relating to a primary system of roads and highways.

Ordered that said above named Senate bills and resolutions be printed and referred to the Committee on Rules:

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 118. WHEREAS, Mary Malissa Wells was employed by the Board of Trustees of the Paintsville Graded School to teach in the City School of Paintsville, Johnson County, Kentucky, for a period of nine months, beginning September 3, One Thousand Nine Hundred Twenty-eight and ending May 17, One Thousand Nine Hundred Twenty-nine, at a salary of Eighty-two and 50/100 ($82.50) Dollars per month; and

WHEREAS, said Mary Malissa Wells taught under such employment for the period of seven months and three weeks, with the understanding that a Certificate was to be issued to her by the Morehead State Normal School; and

WHEREAS, because of a misunderstanding as to credits allowed for correspondence work no Certificate was issued to her by said School; whereupon she was relieved of further duty by the Board of Trustees of the Paintsville Graded School without payment of her salary for the period of three months and three weeks; and

WHEREAS, said Mary Malissa Wells rendered capable, efficient and satisfactory services as teacher in aforesaid school, but because of the fact that no Certificate was granted to her as agreed is unable to draw a salary therefor, now therefore

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby appropriated out of the School Fund going to Johnson County for the School year One Thousand

Nine Hundred Twenty-nine, One Thousand Nine Hundred Thirty, the sum of Three Hundred Nine and 37/100 ($309.37) Dollars, to be used in paying Miss Mary Malissa Wells for services rendered in the City School of Paintsville, Johnson County, Kentucky, as teacher for the months of January, February, March and three weeks of the month of April, One Thousand Nine Hundred Twenty-nine. The Superintendent of Public Instruction is hereby authorized to draw his warrant on the Auditor of Public Accounts, who shall draw his warrant on the Treasury, who shall pay out of the School Fund aforesaid, the aforesaid amount for the benefit of Miss Mary Malissa Wells, and charge the same against the School Fund apportioned to Johnson County for the year One Thousand Nine Hundred Twenty-nine, One Thousand Nine Hundred and Thirty.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Dr. R. A. Byers	Winn Davis
U. G. Anderson	James A. Campbell	E. C. Dennington
W. O. Baxter	Lee Clark	James R. Dorman
S. A. Blackburn	Bradley Combs	C. B. Dowling
D. C. Bradley	Leonard Cook	J. W. Edwards
T. L. Britton	W. W. Cooper	William A. Eimer
John Young Brown	Ben L. Cox	Garland Embry
J. Watt Brown	G. Cunningham	J. O. Evans
John R. Buckman	J. J. Davis	Joseph B. Everhart

Virgil Eversole	Fred V. Lucas	Curtis F. Park
Kelly J. Francis	H. R. Marquette	J. D. Patton
John B. Furlong	James A. May	Robt. L. Horn
P. A. Gnau	Geo. R. McIntosh	John H. Pickett
L. B. Hamilton	Henry Meiman	John W. Preston
Rev. B. L. Hargrove	Harry J. Meyers	W. E. Randall
Robt. L. Horn	Clarence Miller	Dorsey Ratliff
R. L. Jackson	Russell O. Miller	D. O. Stanley
Grover C. Johnson	M. F. Moore	Frank L. Strange
J. Roy Johnson	B. T. Morris	E. J. Thomas
M. F. Jordan	F. Tyler Munford	O. A. Thompson
A. R. Kincheloe	Andrew W. Nichols	J. D. Via
John B. Klefot	H. L. Nickell	J. E. Walters
Frank LeBus	Fred A. Nolte	G. W. Wigginton
Martin Light	Caleb A. Page	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled.

S. B. 151. An Act to amend and re-enact section 3235-A -28 of Carroll's Kentucky Statutes, 1922 Edition, relating to Board of Education; power to purchase sites; issue improvement bonds to be submitted to the people; provisions concerning bonds.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3235-A-28 of Carroll's Kentucky Statutes, 1922 Edition, be amended and re-enacted so that when same is so amended and re-enacted it shall read as follows, to-wit:

"Section 3235-A-28. Whenever the Board of Education shall deem it necessary for the proper accommodation of the schools of such city and within two miles of the corporate limits thereof, to acquire or enlarge sites for school buildings, to erect, improve, remodel, rebuild or restore buildings for high schools or for any other school purpose or for any or all of these purposes, and the annual funds raised from other sources are not sufficient to accomplish said purpose or purposes, said board shall make a careful estimate of the probable amount of money required for such purpose or purposes and it shall certify to the general council or board of commissioners of said city the fact that an election for an issue of bonds for school improvement shall be held, together with the amount of money for which bonds shall be issued and the purpose or purposes to which the proceeds thereof shall be applied. It shall thereupon be the duty of the general council or board of commissioners to adopt an ordinance submitting to the qualified voters of the city at the next regular election the question whether bonds of the city shall be issued for the purpose or purposes aforesaid. The bonds so issued shall be designated as 'school improvement bonds' and the ordinance shall fix the time the bonds shall run, and if a serial issue, then the amount to mature at each time, and limit the rate of interest which shall be permitted on said bonds and the total amount of bonds to be issued, and provide for the levy of a tax to pay the interest and to either redeem the bonds as they mature or provide for the accumulation of a sinking fund to retire them at their maturity.

No submission of the question of issuing bonds hereunder shall be had prior to the regular election in November, 1913, and the total outstanding issue of bonds for school purposes, including bonds already issued, shall never exceed three per

centum (3%) of the value of the taxable property of the city to be estimated by the assessment next before the last assessment previous to the incurring of the indebtedness. The question to be submitted shall be so framed that the voter may by his vote answer for or against.

If the voters of the city shall determine by a two-thirds majority of those voting that such bonds shall be issued they shall, when so issued, be placed under the control of the Board of Education, who shall determine when and at what price and how they shall be sold, and the date, number of bonds, denominations, whether coupon or registered, the rate of interest and frequency of payment thereof, place of payment of principal and interest and any other details it desires, embodied in the bonds, or in the ordinance providing for their issue and shall certify same to the governing body of said city, who shall at once adopt an ordinance in conformity therewith and cause the bonds to at once be properly prepared and executed and turned over to the Board of Education for sale and delivery; provided, that no such bonds shall be sold for less than par; and provided, further, that any premium which may be obtained from said bonds shall constitute a part of the sinking fund for their ultimate retirement. As the bonds are sold their proceeds shall be placed to the credit of the Board in the same depository which is selected for its other funds, but shall be kept in a separate account and shall be used only for the purposes for which the bonds were issued.

It shall be the duty of the general council or of the commissioners, in addition to the levy made for the maintenance of the schools as hereinbefore provided, to levy annually in its tax levy a rate that will raise a sum that shall be sufficient to pay the interest and create a sinking fund for the payment of the bonds at maturity. The said bonds, principal and interest, shall be a charge upon the sinking fund of said city, and it shall be entitled to have the annual tax that shall be levied as aforesaid.

§ 2. All laws, or parts of laws, in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

W. O. Baxter	Virgil Eversole	Russell O. Miller
S. A. Blackburn	Kelly J. Francis	M. F. Moore
D. C. Bradley	John B. Furlong	F. Tyler Munford
T. L. Britton	F. A. Gnau	Andrew W. Nichols
John Young Brown	Rev. B. L. Hargrove	H. L. Nickell
J. Watt Brown	Robt. L. Horn	Fred A. Nolte
John R. Buckman	R. L. Jackson	Caleb A. Page
Dr. R. A. Byers	Grover C. Johnson	Curtis F. Park
James A. Campbell	J. Roy Johnson	J. D. Patton
Bradley Combs	Theron M. Johnson	John H. Pickett
Elmer Cook	J. R. Johnston	John W. Preston
W. W. Cooper	M. F. Jordan	W. E. Randall
Ben L. Cox	A. R. Kincheloe	Thomas H. Troxel
G. Cunningham	John B. Klefot	Speed H. Tye
E. C. Dennington	Frank LeBus	Dr. Vallandingham
James R. Dorman	Martin Light	J. E. Walters
C. B. Dowling	Fred V. Lucas	L. M. Weathers
W. C. Dugan	H. R. Marquette	G. W. Wigginton
J. W. Edwards	James A. May	Robert Williams
William A. Eimer	Henry Meiman	
J. O. Evans	Harry J. Meyers	—61

Those who voted in the negative were—

Leonard Cook J. J. Davis T. R. McRoberts —3

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsireded and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled.

S. B. 89. An Act to repeal and re-enact Section 1224, Kentucky Statutes by Carroll, 1922 Edition, relating to shooting at persons from ambush.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1224, Kentucky Statutes by Carroll, 1922 Edition, be repealed and re-enacted, so that when re-enacted it will read as follows:

Section 1224. Shooting at person, or wounding person from ambush. If any person shall, from ambush or any concealment or hiding place, shoot at any person without inflicting a wound upon such person, or if any person from ambush or concealment or hiding place shall shoot at and wound any person, he shall be deemed guilty of a felony, and, upon conviction, shall be confined in the penitentiary not less than one nor more than ten years. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	J. O. Evans	Geo. R. McIntosh
W. O. Baxter	Joseph B. Everhart	T. R. McRoberts
S. A. Blackburn	Virgil Eversole	Henry Meiman
L. C. Bradley	Kelly J. Francis	Clarence Miller
John Young Brown	John B. Furlong	Russell O. Miller
John R. Buckman	F. A. Gnau	M. F. Moore
James A. Campbell	Rev. B. L. Hargrove	B. T. Morris
Bradley Combs	J. F. Harrison	Andrew W. Nichols
Elmer Cook	Robt. L. Horn	Caleb A. Page
Leonard Cook	C. E. Houk	J. D. Patton
W. W. Cooper	R. L. Jackson	John W. Preston
Ben L. Cox	Grover C. Johnson	W. E. Randall
H. G. Crabtree	J Roy Johnson	Dorsey Ratliff
Winn Davis	M. F. Jordan	D. O. Stanley
E. C. Dennington	A. R. Kincheloe	E. J. Thomas
James R. Dorman	Frank LeBus	J. A. Thompson
S. J. Douthitt	Martin Light	J. D. Via
C. B. Dowling	Fred V. Lucas	J. E. Walters
W. C. Dugan	H. R. Marquette	G. W. Wigginton
J. W. Edwards	Joseph Martin	Robert Williams
Garland Embry	James A. May	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of twelve o'clock Meridian, having arrived, the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled.

S. B. 231. An Act regulating the transportation by motor vehicles of all officers and employees of the State of Kentucky excepting the Governor and Lieutenant Governor, and providing for the payment of the traveling expenses by motor vehicles of all officers and employees of the State of Kentucky and providing for the future use and sale of all motor passenger vehicles now owned by the State of Kentucky, and repealing all laws and parts of laws providing for the purchase of motor passenger vehicles for use of State officers and employees, excepting the Governor and Lieutenant Governor, and providing a penalty for the violation thereof and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no part of any money or revenue hereafter paid into the State Treasury of the Commonwealth of Kentucky, shall be used or expended for the purchase of any motor passenger vehicle for the use of any officer of the Commonwealth of Kentucky, or any member, agent or employee of any Board or Commission created by the laws of the Commonwealth of Kentucky, or for the use of any person or persons directly or indirectly engaged in performing any

services in behalf of the Commonwealth of Kentucky, other than the Governor and the Lieutenant Governor when acting as the Governor of the Commonwealth of Kentucky.

§ 2. That it shall be unlawful for the State Treasurer, the Auditor of Public Accounts, Officer or Member of any Board or Commission created by the laws of the State of Kentucky, or any other State officer of the Commonwealth of Kentucky to purchase or contract for the purchase of any motor passenger vehicle on behalf of or for the account of the Commonwealth of Kentucky, except for the use of the Governor and Lieutenant Governor of the Commonwealth of Kentucky when acting as Governor, and it shall be unlawful for any payments to be made out of any State funds or revenues for such purposes, other than for the purchase of necessary motor passenger vehicles for the use of the Governor and the Lieutenant Governor when acting as the Governor of the Commonwealth of Kentucky.

§ 3. When any officer, member of any board or commission of the Commonwealth of Kentucky, or any subordinate officer, agent or employee thereof is authorized under the laws of the State of Kentucky to and does, in the discharge of his or her official duties, incur any expense incident to traveling in motor vehicles personally owned by such officer, member, agent or employee, such expense shall not exceed 5c per mile over the nearest traveled route over which such officer, member, agent or employee has traveled in the discharge of such official duty in his or her personallly owned motor vehicle, which sum of 5c shall include an allowance of 1c per mile for depreciation and investment charges incident to the operation of such motor vehicle, and such expense shall be paid in the manner now provided by law for the payment of expenses of State officials and employees of the State of Kentucky, provided, however, that in no event shall any sum be allowed or paid by the Auditor of Public Accounts of the State of Kentucky for expenses in traveling in personally owned motor vehicles, incident to the performance of official duties, in

excess of the actual expenses so incurred by such official or employee.

§ 4. Nothing in this act contained shall be construed as prohibiting the operation during the years 1930 and 1931 by State Officers, members of Boards and Commissions and agents and employees thereof, of motor passenger vehicles heretofore purchased by State funds and now owned by the State of Kentucky, provided, such motor passenger vehicles shall be used exclusively for the performance of official duties and no claim for expenses incident to the operation thereof shall be allowed or paid in excess of the actual cost of operation thereof, which shall not exceed 4c per mile for each mile traveled in the performance of official duties.

§ 5. On or before January 1, 1932, all motor passenger vehicles theretofore purchased by the Commonwealth of Kentucky or any Board or Commission created by the laws of the Commonwealth of Kentucky, other than such motor passenger vehicles as may be in the use of the Governor and Lieutenant Governor of the Commonwealth of Kentucky, shall be delivered to the Sinking Fund Commission or its agent designated for such purpose, by the Board, Commission, Officer, Agent, or Employee having the custody thereof, and thereafter it shall be unlawful for any person whomsoever, other than the Governor and Lieutenant Governor of the Commonwealth of Kentucky, to use or operate any passenger motor vehicle owned by the Commonwealth of Kentucky.

On or before February 1, 1932, the Siking Fund Commission of the Commonwealth of Kentucky, shall advertise and sell all motor passenger vehicles belonging to the Commonwealth of Kentucky, other than such as may be in the use of the Governor and Lieutenant Governor, and the proceeds derived from the sale thereof shall be paid into the Sinking Fund of the Commonwealth of Kentucky and disbursed in payment of the existing indebtedness of the Commonwealth of Kentucky.

§ 6. Nothing in this act contained shall be construed as

in any manner limiting the powers of the State Highway Commission or any other Board or Commission created by the laws of the Commonwealth of Kentucky, to purchase and operate motor vehicles other than motor passenger vehicles.

§ 7. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less than fifty dollars and not more than five hundred dollars for each offense.

§ 8. All laws and parts of laws in conflict herewith are hereby repealed.

§ 9. WHEREAS it is imperative that the Commonwealth of Kentucky be saved the unnecessary expense incident to the purchase of motor passenger vehicles and the operation thereof and that the revenues of the Commonwealth of Kentucky be conserved in the manner herein provided, an emergency is declared to exist, and this act shall become effective from and after its passage by the General Assembly of the Commonwealth of Kentucky.

Mr. Gnau moved that the consideration of said bill be postponed indefinitely.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Hamilton and Byers, were as follows, viz:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	Fred V. Lucas
Lee Clark	Garland Embry	Henry Meiman
Ben L. Cox	John B. Furlong	Harry J. Meyers
G. Cunningham	F. A. Gnau	W. E. Randall
E. C. Denningtоn	J. R. Johnston	Thomas H. Troxel
Thomas Dunn	John B. Klefot	J. D. Via

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Those who voted in the negative were—

W. O. Baxter	L. B. Hamilton	Russell O. Miller
D. C. Bradley	H. G. Handmaker	M. F. Moore
T. L. Britton	Rev. B. L. Hargrove	B. T. Morris
J. Watt Brown	J. F. Harrison	F. Tyler Munford
John R. Buckman	Robt. L. Horn	Andrew W. Nichols
Dr. R. A. Byers	R. L. Jackson	H. L. Nickell
James A. Campbell	Grover C. Johnson	Curtis F. Park
Leonard Cook	J. Roy Johnson	J. D. Patton
W. W. Cooper	Theron M. Johnson	John H. Pickett
H. G. Crabtree	M. F. Jordan	John W. Preston
J. J. Davis	A. R. Kincheloe	Dorsey Ratliff
James R. Dorman	Frank LeBus	Denny P. Smith
S. J. Douthitt	Martin Light	D. O. Stanley
C. B. Dowling	H. R. Marquette	E. J. Thomas
W. C. Dugan	Joseph Martin	J. A. Thompson
J. O. Evans	James A. May	Dr. Vallandingham
Joseph B. Everhart	Geo. R. McIntosh	J. E. Walters
Kelly J. Francis	T. R. McRoberts	G. W. Wigginton
Ralph Gilbert	Clarence Miller	Robert Williams

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Mr. Munford offered the following Amendments to said bill, viz.:

Amend S. B. 231, line 9, Section 1 of the printed bill, by striking the period after the word "Kentucky" and adding thereto the following "and also excepting the State Highway Commission of Kentucky and its employees."

Amend Sec. 2, line 8 of printed bill number 231 by adding after the word "governor" the following words "and excepting also the State Highway Commission of Kentucky and its employees."

Amend Sec. 2 of said bill by adding at the end of line 12 the following words "and the State Highway Commission of Kentucky and its employees."

Amend Sec. 5 of said bill by adding after the word "Kentucky" in line 5, page 3 of the printed bill the following words "and other than the State Highway Commission of Kentucky and its employees."

Amend Section 5 of said bill by adding after the word "Kentucky" in line 10, page 3 of the printed bill the following words "and other than the State Highway Commission of Kentucky and its employees."

Amend Sec. 5 of said bill by adding after the words "Lieutenant Governor" in line 15, sec. 5, page 3 of the printed bill the following words "and other than the State Highway Commission of Kentucky and its employees."

Mr. Via moved that said amendments be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Hamilton and Ardery were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	William A. Eimer	John H. Pickett
Lee Clark	Garland Embry	W. E. Randall
Elmer Cook	F. A. Gnau	Thomas H. Troxel
W. W. Cooper	John B. Klefot	C. B. Truesdell
Ben L. Cox	Henry Meiman	J. D. Via
G. Cunningham	Harry J. Meyers	
E. C. Dennington	M. L. Napier	—19

Those who voted in the negative were—

U. G. Anderson	S. A. Blackburn	J. Watt Brown
William B. Ardery	D. C. Bradley	John R. Buckman
W. O. Baxter	T. L. Britton	Dr. R. A. Byers

James A. Campbell	Robt. L. Horn	Russell O. Miller
Bradley Combs	C. E. Houk	M. F. Moore
Leonard Cook	R. L. Jackson	Tyler F. Munford
H. G. Crabtree	Grover C. Johnson	Andrew W. Nichols
J. J. Davis	J. Roy Johnson	H. L. Nickell
James R. Dorman	Theron M. Johnson	Curtis F. Park
S. J. Douthitt	J. R. Johnston	J. D. Patton
C. B. Dowling	M. F. Jordan	James I. Peters
W. C. Dugan	A. R. Kincheloe	John W. Preston
J. O. Evans	Frank LeBus	Dorsey Ratliff
Joseph B. Everhart	Martin Light	Denny P. Smith
Kelly J. Francis	Fred V. Lucas	D. O. Stanley
John B. Furlong	H. R. Marquette	E. J. Thomas
Ralph Gilbert	Joseph Martin	J. A. Thompson
L. B. Hamilton	James A. May	Dr. Vallandingham
H. G. Handmaker	Geo. R. McIntosh	J. E. Walters
Rev. B. L. Hargrove	T. R. McRoberts	L. M. Weathers
J. F. Harrison	Clarence Miller	Robert Williams

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Mr. Kincheloe offered the following amendment to the amendment as offered by Mr. Munford.

Amend the amendment by adding the following words: "and except the State Tax Commission."

Said amendment to the amendment was disagreed to.

Said amendment as offered by Mr. Munford was then disagreed to.

Mr. Everhart moved that the House do now resolve itself into the Committee of the Whole House for the purpose of discussing said bill.

Mr. Gnau moved that said motion be laid on the table.

Said motion was disagreed to.

Said motion as made by Mr. Everhart was then disagreed to.

Mr. Francis moved the Previous Question.

Thereupon the Speaker announced "Shall the main question be now put?"

Which was decided in the affirmative.

Mr. Dunn offered the following amendment to said bill, viz.:

Amend S. B. 231, Sections 3, line 6 and line 9 by striking out the figure "5" and inserting in lieu thereof the figure "8"; also section 4 of same bill, line 8, by striking out the figure "4" and substituting in lieu thereof the figure "7".

Said amendment was disagreed to.

Mr. Dennington offered the following amendment to said bill, viz.:

Amend S. B. 231 by strikig out on page 2, Sec. 3, lines 6 and 9, the figure and letter "5c" and insert in lieu thereof the figure and word "10 cents".

Said amendment was disagreed to.

Mr. Gnau offered the following amendment to said bill, viz.:

Amend S. B. 231 by inserting in line 8, page 1 of the printed bill after the word "Kentucky" the words "or in any county in the State."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

William B. Ardery	Ralph Gilbert	H. L. Nickell
W. O. Baxter	L. B. Hamilton	Caleb A. Page
S. A. Blackburn	H. G. Handmaker	Curtis F. Park
D. C. Bradley	Rev. B. L. Hargrove	J. D. Patton
T. L. Britton	J. F. Harrison	James I. Peters
J. Watt Brown	Robt. L. Horn	John H. Pickett
John R. Buckman	C. E. Houk	John W. Preston
Dr. R. A. Byers	R. L. Jackson	W. E. Randall
James A. Campbell	Grover C. Johnson	Dorsey Ratliff
Lee Clark	J. Roy Johnson	Denny P. Smith
W. W. Cooper	Theron M. Johnson	D. O. Stanley
William J. Curtis	J. R. Johnston	Frank L. Strange
J. J. Davis	M. F. Jordan	Elmer J. Terry
James R. Dorman	A. R. Kincheloe	E. J. Thomas
S. J. Douthitt	Frank LeBus	J. A. Thompson
C. B. Dowling	Martin Light	Thomas H. Troxel
W. C. Dugan	H. R. Marquette	Dr. Vallandingham
Garland Embry	Geo. R. McIntosh	J. E. Walters
J. O. Evans	T. R. McRoberts	G. W. Wiggington
Joseph B. Everhart	M. F. Moore	Robert Williams
Kelly J. Francis	B. T. Morris	
John B. Furlong	Andrew W. Nichols	—64

Those who voted in the negative were—

E. S. Allison	Virgil Eversole	F. Tyler Munford
U. G. Anderson	F. A. Gnau	M. L. Napier
Ben L. Cox	John B. Klefot	Fred A. Nolte
G. Cunningham	Fred V. Lucas	C. B. Truesdell
E. C. Dennington	Joseph Martin	J. D. Via
Thomas Dunn	Harry J. Meyers	L. M. Weathers
William A. Eimer	Russell O. Miller	—20

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Dorman of the Committee on Rules reported bills of the following titles, viz.:

S. B. 440. An Act increasing and fixing the salaries of first assistant Commonwealth's Attorney.

S. B. 401. An Act to require all drivers of motor vehicles transporting school children to stop each and every such motor vehicle before crossing over any grade crossing.

S. B. 109. An Act making it the duty of the State Inspector and Examiner to inspect and examine the office of the sheriff, etc.

S. B. 416. An Act to amend Sec. 4379 of Art. 3 of Baldwin's Kentucky Statutes, 1922 Edition.

S. B. 435. An Act relating to primary system of road and highways.

S. B. 445. An Act to amend and re-enact Sec. 612a Kentucky Statutes, relating to combined banks and trust companies.

S. B. 431. An Act relating to county patrolmen.

S. B. 327. An Act to amend and re-enact Secs. 2739j-22, 2739j-27 and 2739j-32 of Kentucky Statutes, etc.

S. B. 336. An Act empowering the Insurance Commission of the State of Kentucky to suspend or revoke for a cause the license of an agent of a life insurance company.

S. B. 56. An Act to require all owners and lessees of all ferries operated on any stream in the Commonwealth where roads are included in the State Primary System to maintain warning and light signals.

S. B. 111. An Act regulating the planting of trees, shrubs or other growths within the State highways.

S. B. 404. An Act relating to motor vehicles, providing for the repeal, amendment and re-enactment of subsec. (b) of Sec. 2739g-2.

S. B. 400. An Act appropriating $74,505.45 for the purpose of providing for payment of deficit in budget of Custodian of Public Buildings, etc.

S. Res. 28. Resolution to permit N. B. Sutton and A. S. Turner to sue the Commonwealth of Kentucky.

S. B. 293. An Act to amend and re-enact Sec. 301, Kentucky Statutes, Carroll's 1922 Edition, relating to the powers and duties of the Boards of visitors of the Kentucky school for the Blind.

S. B. 229. An Act to amend Subsec. 9 of Sec. 3704 of Kentucky Statutes, Carroll's Edition supplement 1922, and 1924 relating to cemeteries owned by cities of the sixth class.

S. B. 228. An Act to amend and re-enact Sec. 331e-1 of Kentucky Statutes, Baldwin's 1928 Supplement, being a part of Article V relating to dependent, neglected and delinquent children, etc.

S. Res. 40. A resolution authorizing Muir & Welch of Nicholasville, Kentucky, to sue the State of Kentucky and the State highway Commission.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed in the Calendar.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. B. 312. An Act relating to the primary system of roads and highways.

S. B. 313. An Act relating to the primary system of roads and highways.

S. B. 314. An Act relating to the primary system of roads and highways.

S. B. 318. An Act relating to the primary system of roads and highways.

S. B. 319. An Act relating to the primary system of roads and highways.

S. B. 321. An Act relating to the primary system of roads and highways.

S. B. 332. An Act relating to the primary system of roads and highways.

S. B. 350. An Act relating to primary system of roads and highways.

S. B. 377. An Act relating to primary system of roads and highways.

S. B. 386. An Act relating to primary system of roads and highways.

S. B. 388. An Act relating to primary system of roads and highways.

S. B. 389. An Act relating to primary system of roads and highways.

S. B. 391. An Act relating to primary system of roads and highways.

S. B. 395. An Act relating to primary system of roads and highways.

S. B. 396. An Act relating to primary system of roads and highways.

S. B. 433. An Act relating to primary system of roads and highways.

S. B. 139. An Act relating to Primary system of roads and highways.

S. B. 172. An Act relating to primary system of roads and highways.

S. B. 173. An Act relating to primary system of roads and highways.

S. B. 174. An Act relating to Primary system of roads and highways.

S. B. 179. An Act relating to primary system of roads and highways.

S. B. 197. An Act relating to primary system of roads and highways.

S. B. 213. An Act relating to primary system of roads and highways.

S. B. 224. An Act relating to primary system of roads and highways.

S. B. 230. An Act relating to primary system of roads and highways.

S. B. 232. An Act relating to primary system of roads and highways.

S. B. 235. An Act relating to primary system of roads and highways.

S. B. 236. An Act relating to primary system of roads and highways.

S. B. 237. An Act relating to primary system of roads and highways.

S. B. 238. An Act relating to primary system of roads and highways.

S. B. 242. An Act realting to primary system of roads and highways.

S. B. 255. An Act relating to primary system of roads and highways.

S. B. 263. An Act relating to primary system of roads and highways.

S. B. 265. An Act relating to primary system of roads and highways.

S. B. 268. An Act relating to Primary system of roads and highways.

S. B. 271. An Act relating to primary system of roads and highways.

S. B. 274. An Act relating to primary system of roads and highways.

S. B. 276. An Act relating to primary system of roads and highways.

S. B. 280. An Act relating to primary system of roads and highways.

S. B. 282. An Act relating to primary system of roads and highways.

S. B. 284. An Act relating to a primary system of roads and highways.

S. B. 285. An Act relating to a primary system of roads and highways.

S. B. 286. An Act relating to a primary system of roads and highways.

S. B. 288. An Act relating to a primary system of roads and highways.

H. Res. 7. Resolution for the benefit of A. J. Burt of Elizabethtown, Hardin County, Ky.

H. B. 206. An Act to repeal and re-enact Section 2118 Kentucky Statutes, 1915, relating to remarriage of a divorced person.

H. B. 104. An Act authorizing the Clerk of the Court of Appeals to appoint from among his deputies, with the assent of the Court of Appeals, an assistant Clerk of the Court of Appeals.

H. B. 237. An Act authorizing the filing of notices of liens for taxes payable to the United States of America and certificates discharging such liens, fixing Clerk's fee.

H. Res. 33. Joint resolution providing for the payment of money to Mrs. Alice Allnut and Mrs. Ollie Brightwell for extra services in caring for the office in the State Capitol during the present Session of the General Assembly.

H. B. 433. An Act regulating the time for a six-year old child to enter school.

H. Res. 23. A resolution authorizing Claude Henderson by his Statutory Guardian or next friend to sue the Commonwealth of Kentucky.

H. Res. 31. Joint House Resolution appointing a Public Utilities Commission, etc.

H. B. 144. An Act providing for the service of process in civil suits on non-resident operators, or non-resident owners of motor vehicles operated within the Commonwealth of Kentucky.

H. B. 580. An Act to amend and re-enact Section 18, Chapter 28, of the Acts of 1916 (Section 717, Carroll's Kentucky Statutes, 1922 Edition).

H. B. 409. An Act to amend and re-enact Section 938-2, Kentucky Statutes, as compiled in Carroll's Kentucky Statutes Service, 1928 Edition.

H. B. 327. An Act to enable cities of the first class to provide for City Planning and zoning, etc.

H. B. 485. An Act amending Chapter 104 of the Acts of the General Assembly of 1928, said chapter approved March 22, 1928, same being section 2739-5, Baldwin's 1928.

H. B. 354. An Act to enable any city of the first class which has adopted a major street plan to at any time or times and as often as it may desire, in its discretion, widen, alter or extend any major street or, etc.

S. Res. 31. A resolution authorizing J. B. Betts of Nicholasville, Ky., to sue the State of Kentucky and the State Highway Commission.

S. B. 4. An Act repealing and re-enacting Sec. 907-b-4, Supplement Carroll's Kentucky Statutes, 1928, being Sec. 4 of Chapter 75 of the Acts of the General Assembly relating to the office of Purchasing Agent in counties containing a city of the first class.

S. B. 16. An Act relating to the creation of water districts in counties of the State, and providing for the establishment, construction, or purchase of a water system for furnishing water to the inhabitants thereof;

S. B. 37. An Act to amend and re-enact Sec. 1763 of Carroll's Kentucky Statutes, 1923 Edition, as amended by chapter 121 of the Acts of 1928 to provide for the fixing of salaries of the Chief Deputy Circuit Court Clerk.

S. B. 74. An Act to enable cities of the Second Class in the Commonwealth to acquire lands for Aviation fields.

S. B. 91. An Act concerning estates not exceeding one

hundred dollars of persons under disability to permit payment to those having custody of such persons.

S. B. 95. An Act to amend Sec. 1550-26, 1550-28 of Carroll's Kentucky Statutes, 1922 Edition, relating to elections, canvassing returns thereof, etc.

S. B. 98. An Act to regulate sales of real estate belonging to infants and persons of unsound mind.

S. B. 99. An Act amend Sec. 1596a-12 of Carroll's Kentucky Statutes, 1922 Edition, relating to contested elections.

S. B. 101. An Act amending section 334 of the Civil Code of Practice relating to preparing and filing bills of exceptions.

S. B. 108. An Act authorizing State Board of Charities and Corrections to employ necessary guards for the Institutions.

S. B. 140. An Act relating to pensions for confederate soldiers.

S. B. 161. An Act relating to embalming.

S. B. 202. An Act to repeal chapter 52 of the Acts of the General Assembly of 1928, relating to a supervisory attendance officer for public schools.

S. B. 380. An Act authorizing the Sinking Fund Commission to repair the basement, etc.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled and thereupon the

Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that all of said bills and resolutions which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of the House deliver said bills and resolutions which originated in the House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said House bills and resolutions duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills and resolutions to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 159. An Act to provide for the change in name of a child adopted pursuant to Sections 2071 and 2072, of the Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

When an infant shall be or shall have been adopted and given parental control as provided in Sections two thousand and seventy-one (2071) and two thousand and seventy-two

(2072) of the Kentucky Statutes (Carroll's 1922 Edition), on petition of the person so adopting such infant, filed in the circuit court of the county of his residence, the surname of such child may, in the discretion of the Judge, be changed to that of the person adopting him. The judgment, if the change be ordered, shall show the original name, age and place of birth of the child and the name to which the change is made, and the names of the child's father and mother, if known; and of the person whose name he is assuming.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R. Dorman	M. F. Jordan
E. S. Allison	S. J. Douthitt	John B. Klefot
U. G. Anderson	C. B. Dowling	Martin Light
S. A. Blackburn	J. W. Edwards	Joseph Martin
T. L. Britton	William A. Eimer	James A. May
John Young Brown	Garland Embry	Geo. R McIntosh
J. Watt Brown	J. O. Evans	Harry J. Meyers
John R. Buckman	Virgil Eversole	M. F. Moore
James A. Campbell	Kelly J. Francis	B. T. Morris
Lee Clark	John B. Furlong	Andrew W. Nichols
Bradley Combs	Ralph Gilbert	H. L. Nickell
Elmer Cook	F. A. Gnau	Curtis F. Park
Leonard Cook	Rev. B. L. Hargrove	J. D. Patton
W. W. Cooper	R. L. Jackson	James I. Peters
Ben L. Cox	Grover C. Johnson	John H. Pickett
G. Cunningham	J. R. Johnston	John W. Preston

W. E. Randall	Elmer J. Terry	Dr. Vallandingham
Denny P. Smith	J. A. Thompson	J. E. Walters
D. O. Stanley	C. B. Truesdell	Robert Williams

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There voted in the negative—

H. G. Handmaker —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 195. An Act to repeal, amend and re-enact Sec. 2740 Kentucky Statutes, by Carroll, 1915 Edition, also chapter 83 of Acts of the General Assembly of Kentucky, 1916, also chapters 11 and 164 of the Acts of the General Assembly of Kentucky 1920; also chapter 108 of the Acts of the General Assembly, 1922; also chapter 82 of the Acts of the General Assembly of 1924; also Chapter 141 of the Acts of the General Assembly of 1926; all relating to the classifications of cities of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2740 Kentucky Statutes by Carroll, 1915 edition; also chapter 83 of the Acts of the General Assembly of Kentucky, 1916; also chapters 11 and 164 of the Acts of the General Assembly of Kentucky, 1920; also chapter 108 of the

Acts of the General Assembly of Kentucky, 1922; also chapter 82 of the Acts of the General Assembly of Kentucky, 1924; also chapter 141 of the Acts of the General Assembly of Kentucky, 1926; all of which relate to the classification of cities, be and each of them are hereby repealed, amended and re-enacted and when so repealed, amended and re-enacted shall read as follows:

"The cities and towns of the Commonwealth are classified as follows:

"First Class—Louisville, Jefferson County.

"Second Class—Lexington, Fayette County; Covington, Kenton County; Newport, Campbell County; Paducah, McCracken County; Ashland, Boyd County.

"Third Class—Owensboro, Daviess County; Henderson, Henderson County; Frankfort, Franklin County; Bowling Green, Warren County; Middlesboro, Bell County; Hopkinsville, Christian County; Maysville, Mason County; Corbin, Whitley County and Knox County.

"Fourth Class—Shelbyville, Shelby County; Richmond, Madison County; Winchester, Clark County; Dayton, Campbell County; Paris, Bourbon County; Catlettsburg, Boyd County; Danville, Boyle County; Mt. Sterling, Montgomery County; Georgetown, Scott County; Versailles, Woodford County; Harrodsburg, Mercer County; Bellevue, Campbell County; Cynthiana, Harrison County; Mayfield, Graves County; Lebanon, Marion County; Ludlow, Kenton County; Nicholasville, Jessamine County; Pineville, Bell County; Madisonville, Hopkins County; Princeton, Caldwell County; Fulton, Fulton County; Lawrenceburg, Anderson County; Russellville, Logan County; Carrollton, Carroll County; Central City, Muhlenberg County; Franklin, Simpson County; Barbourville, Knox County; Providence, Webster County; Morganfield, Union County; Pikeville, Pike County; Somerset, Pulaski County; Murray, Calloway County; Jackson, Breathitt County; Elizabethtown, Hardin County; Hazard, Perry County; Hickman, Fulton County; Scottsville,

Allen County; Earlington, Hopkins County; Olive Hill, Carter County; Irvine, Estill County; Marion, Crittenden County; Clifton, Campbell County; Fort Thomas, Campbell County; Russell, Greenup County; Harlan, Harlan County; Paintsville, Johnson County; Sturgis, Union County; Prestonsburg, Floyd County.

"Fifth Class—Lancaster, Garrard County; Cadiz, Trigg County; Grand River, Livingston County; Greenville, Muhlenberg County; Columbus, Hickman County; Glasgow, Barren County; Cloverport, Breckinridge County; Bardstown, Nelson County; Augusta, Bracken County; Stanford, Lincoln County; Williamsburg, Whitley County; Clinton, Hickman County; Midway, Woodford County; Flemingsburg, Fleming County; Vanceburg, Lewis County; Elkton, Todd County; Falmouth, Pendleton County; Carlisle, Nicholas County; Uniontown, Union County; Campbellsville, Taylor County; Hawesville, Hancock County; Eminence, Henry County; Eddyville, Lyon County; Leitchfield, Grayson County; Owingsville, Bath County; Sebree, Webster County; Clay, Webster County; Wickliffe, Ballard County; Morehead, Rowan County; Bardwell, Carlisle County; Dawson Springs, Hopkins County; Millersburg, Bourbon County; Calhoun, McLean County; Springfield, Washington County; Corydon, Henderson County; Hartford, Ohio County; Morton's Gap, Hopkins County; Livermore, McLean County; Beattyville, Lee County; Owenton, Owen County; Burnsides, Pulaski County; Warsaw, Gallatin County; Monticello, Wayne County; Berea, Madison County; LaGrange, Oldham County; Guthrie, Todd County; Hustonville, Lincoln County; Drakesboro, Muhlenberg County; Tompkinsville, Monroe County; Hellier, Pike County; Perryville, Boyle County; Wilmore, Jessamine County; Greenup, Greenup County; Horse Cave, Hart County; Brooksville, Bracken County; Whitesburg, Letcher County; Columbia, Adair County; Elkhorn City, Pike County; Manchester, Clay County; Beaver Dam, Ohio County; Ravenna, Estill County; Louisa, Lawrence County;

Burkesville, Cumberland County; London, Laurel County; Cumberland, Harlan County; Grayson, Carter County.

"Sixth Class—All other incorporated cities and towns not named in this bill shall belong to the sixth class, provided that all officers not holding offices in any of the cities changed from a class other than they were at the time such officers were elected will hold their offices until the term for which they were elected has expired and until their successor has been elected and qualified."

§ 2. Whereas, it is necessary for the assigned cities mentioned herein to make their tax levy for this year under the charter of the town to which they are assigned, an emergency is hereby declared to exist and this act shall take effect and be in full force and effect from and after its passage and approval by the Governor. All acts or parts of acts inconsistent herewith are hereby repealed.

Mr. Combs offered the following Amendment to said bill, viz.:

Amend S. B. 195 by adding after "Grayson, Carter County," in lines 65 and 66, page 3 of the printed bill, the words "Neon, Letcher county," and "Raceland, Greenup county."

Said Amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	Geo. R. McIntosh
E. S. Allison	William A. Eimer	Harry J. Meyers
U. G. Anderson	Garland Embry	Russell O. Miller
W. O. Baxter	J. O. Evans	B. T. Morris
D. C. Bradley	Virgil Eversole	H. L. Nickell
T. L. Britton	Kelly J. Francis	Curtis F. Park
John Young Brown	John B. Furlong	J. D. Patton
J. Watt Brown	Rev. B. L. Hargrove	James I. Peters
John R. Buckman	Robt. L. Horn	John H. Pickett
James A. Campbell	C. E. Houk	John W. Preston
Lee Clark	R. L. Jackson	Dorsey Ratliff
Bradley Combs	J. Roy Johnson	Denny P. Smith
Elmer Cook	Theron M. Johnson	D. O. Stanley
Leonard Cook	J. R. Johnston	Elmer J. Terry
W. W. Cooper	M. F. Jordan	E. J. Thomas
Ben L. Cox	John B. Klefot	J. A. Thompson
H. G. Crabtree	Martin Light	C. B. Truesdell
G. Cunningham	H. R. Marquette	Dr. Vallandingham
James R. Dorman	Joseph Martin	G. W. Wigginton
Thomas Dunn	James A. May	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of the Rules Committee moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The Highway Investigating Committee delivered the following preliminary report of their investigations to the House, viz.:

PRELIMINARY REPORT OF JOINT HIGHWAY INVESTIGATING COMMITTEE

To the General Assembly of the Commonwealth of Kentucky:

Your committee was appointed under a joint resolution of the General Assembly, known as Senate Resolution No. 5, to investigate the affairs and activities of the State Highway Department. The committee is composed of Senators Chas. G. Franklin, Madisonville; H. D. Fitzpatrick, Prestonsburg, and E. C. Moore, Liberty; Representatives J. R. Dorman, Nicholasville; John Young Brown, Lexington; Tylor Munford, Morganfield, and Virgil Eversole, Harlan.

On the 5th day of February, 1930, your committee met and elected Senator Chas. G. Franklin chairman and Representative John Young Brown secretary. Thereafter, on the 10th day of February, your committee employed Joseph S. Laurent, of the firm of Gordon & Laurent, of Louisville, Kentucky, as attorney for the Committee. On the 14th day of February, 1930, your committee employed also Cotton & Eskew, certified accountants of the city of Louisville, to assist the committee in making the investigation.

Since its organization, the Committee has held almost daily meetings for the interrogation of witnesses and more than fifty-six witnesses have testified before the committee.

On the 7th day of March, 1930, your committee addressed a communication to the former members of the Highway Commission, inviting them to offer any evidence that they saw fit to offer. The committee also stated that if the former commissioners preferred to wait until the testimony had been transcribed before offering evidence, they would be permitted to do so, but that the committee desired that they indicate their preference in the matter. The committee has received no acknowledgement of this invitation and none of the commissioners has offered any evidence in their behalf.

Owing to the large mass of testimony which has been taken, the stenographic force was unable to transcribe the same until March 14, and for this reason the committee was unable to make this report at an earlier date.

The committee has yet to interview numerous other witnesses and has a great many matters upon which the account-

ants are working for the purpose of determining the regularity of various matters pertaining to the Highway Department and its activities, and for these reasons your committee requests that its authority be continued so as to enable it to complete the investigation after this Legislature adjourns.

For the reasons above stated, the investigation has not been as thorough as the committee would like to make it and its investigation of the various matters embraced herein does little more than scratch the surface of the subjects which are discussed by this report. The committee is convinced from the evidence already before it, that there are conditions existing in the department which are of much graver importance, and which show a more reckless disregard of the proper and legal functions of the commission, than have yet been disclosed.

Financial Condition of the Highway Department

Your committee has not been able to obtain from the Highway Commission either an accurate or frank statement of the true financial condition of this department. The evidence which has been furnished the committee is of interest primarily in what it attempts to conceal. Through other sources, however, the committee has been able to obtain information which shows that the finances of this department are in a deplorable condition, and that there are no funds available for the construction of any general road projects during the next biennial period, if the commission carries out its normal obligations to the counties of this State.

The commission caused an audit to be made of its affairs, and that audit discloses that from March 31, 1928, to March 31, 1929, on operations covered by that period, the commission has a surplus of more than $230,000.00. That statement may be true if confined to the operations of the department for that particular period of time; but it is far from true if it is intended to show the correct financial condition of the Highway Commission.

At the request of the committee, the chief engineer of the commission furnished a statement of the obligations of the commission to counties for county money that has been advanced for road construction or on agreements by the State Highway Commission to do certain work. That statement purports to cover all money advanced by the counties for road work under agreements by which the commission agrees to do work and pay 75% of the cost of the project. According to the commission's statement, its obligations to the counties on a 3 to 1 basis are $13,696,300.00. From statements we have received from the counties themselves, it is evident that the obligations of the commission are far in excess of that amount. The few counties which have responded to the committee's inquiry already bring this obligation of the Highway Commission above $15,000,000.00. As illustrative of this conclusion, the commission reports that this obligation to Boyd County is only $714,000.00. Boyd County insists that the State's obligation is in excess of $1,012,000.00. The commission reports that it has no outstanding obligation to Grant County, while that county insists that the commission is indebted to it in the amount of $42,000.00. The commission states that it has no outstanding obligation to Letcher, while that county insists that the commission is obligated to it in the amount of $47,000.00. Lewis County reports that the commission is indebted to it in the sum of $847,000.00 instead of $609,000.00 reported by the commission. Lincoln County insists that the commission is indebted to it in the sum of $381,000.00 as against $65,000.00 reported by the commission. Livingston County reports that the commission is indebted to it for $148,000.00 as against nothing reported by the commission. Lyon County insists that the commission is indebted to it in excess of $59,000.00 as against $25,500.00 reported by the commission. Madison County insists that the commission is indebted to it in excess of $61,000.00 as against no indebtedness reported by the commission. Marshall County reports that the commission is indebted to it for $150,000.00 instead of

$130,000.00 reported by the commission. There are numerous other discrepancies in the statement of the commission, but the above are sufficient to show the inaccuracy of the figures furnished by the commission.

Furthermore, the commission does not include in this statement of obligations to the counties the obligations of the commission where contracts have been entered into and work thereon has been authorized. We have not been able to ascertain, at this time, how many hundreds of thousands of dollars are involved in this item alone.

But from the evidence already before your committee, it is very evident that the counties have contributed to the Highway Commission more than $5,000,000.00, which the State has not matched on a 3 to 1 basis, and for which no contracts for road work have been authorized. This means that the counties have paid into the commission $5,000,000.00 for which they have received nothing in return and concerning which the State has made no contracts for the construction of the roads for which the money was paid. It is true that in all agreements with the counties, the commission has agreed to match the county funds on a 3 to 1 basis "as and when funds are available." This is not a strict legal obligation to build roads in those counties at any particular time, but it is an obligation to build the roads at *some* time, and it is a moral obligation to build those roads as soon as possible. The committee does not believe that the commission, when accepting the funds of these counties, has any moral right to engage in other road projects until it has carried out the agreements with the counties for which the money was furnished.

It is, therefore, important to ascertain what has become of these funds that the counties have contributed.

Prior to the year 1929 any moneys contributed by the counties were deposited in local banks and were subject to be checked upon by checks issued solely by the Highway Engineer. Since that time at the earnest insistence of Mr. Ben Johnson, and under an opinion of the Attorney General, these

moneys have been paid to the State Treasurer and can be checked upon only by that official. All county moneys paid in since 1928 are known as the "County Trust Funds" and are deposited in the name of the State Treasurer. In addition to these two funds, there is a general fund of the Highway Department.

According to the records of the State Treasurer, the amount of money which that official has and which belongs to the Highway Commission, as of February 28, 1930, are the following:

General Fund	$1,709,824.70
County trust fund	531,056.52
Cash in local banks contributed by Counties, but subject to check only by the Highway Engineer	275,752.56
Total	$2,506,633.78

These figures show that the commission has on hand approximately $2,500,000.00 and approximately $1,500,000.00 of that amount must be employed to pay the obligations of the present biennial period. This leaves remaining only $1,000,000.00. The conclusion is therefore inescapable that the Highway Department has spent over $4,000,000.00 which were contributed by and belonged to the counties on road projects for which no contracts have been made by the commission for the construction of those projects. Instead of the commission therefore having a surplus of $232,000.00, it has a deficit of more than $3,750,000.00, and if its obligations to the counties exceed $15,000,000.00, as the reports from the counties seem to indicate, the deficit will far exceed this amount.

From figures available, it is estimated that the total revenue of the commission for the biennial period beginning April 1, 1930 will not exceed $14,000,000.00 for construction work. If the commission is indebted to the counties in the sum of $15,000,000.00, and has already spent $3,750,000.00 of

the counties' funds, it will lack, by more than $7,000,000.00, sufficient funds to carry out its agreements with the counties alone. If those agreements are carried out, it is obvious that the commission will not have any funds with which to construct any other projects, but will have a deficit of $7,000,000.00, after carrying out the agreements with the counties.

This is a discouraging condition which the new Highway Commission will be compelled to face, through no fault of its own, but the people of the State should be made to realize that they cannot hope for the construction of any new road projects during the next two years.

SYSTEM UNDER WHICH DEPARTMENT HAS BEEN OPERATED

The testimony introduced before your committee shows conclusively that the Highway Commission has been dominated by the Governor, Flem D. Sampson, and by the Highway Engineer, Mr. J. S. Watkins.

The Governor did not hesitate to direct what roads should be built and to stop the building of any roads which the commission had authorized. This domination on the part of the Governor became so pronounced that one of the road commissioners would not propose any road projects in his road district without first ascertaining from the Governor whether he would permit the work to be done. It is furthermore true that very few matters of any great importance were ever presented to the commission until they had been first brought to the attention of the Governor. This is particularly true with reference to the various proposals of banking houses to purchase bridge bonds. Neither did the Governor refrain from directing the dismissal of employes from the Highway Department, no matter how insignificant was the position held by such employe.

The Highway Engineer, Mr. J. S. Watkins, is probably a man of ability and capacity, but he appears to have used his talents, not for the proper administration of the Highway

Department, but to build up an oligarchy of politics and favoritism. It is safe to say that Mr. Watkins was supreme in all administrative matters affecting the commission and that the activities of the commissioners were practically limited to the building of pet projects in their own particular road districts.

This domination by the Hgihway Engineer was so complete that the commission was given practically no information as to what took place in the department. He hired and fired, promoted and demoted employes at will, and raised and decreased salaries whenever it met his whim or caprice. In order to give legal effect to his actions, they were recorded in the minute books of the commission several weeks after they occurred. The minute books show at one meeting several pages of names of employes who had been employed by the Engineer without any information being given to the commission at the time as to the reason for making the employments or the amounts that the employes were to receive.

Purchases were made by the Engineer without the consent of the commission and contrary to the law which placed that power in the hands of the Purchasing Commission. After materials and supplies had been delivered, invoices were submitted to the commission for its approval and they were approved without even being seen. On one occasion, four baskets full of invoices were approved by the commission without being removed from the baskets or inspected in any other way.

No salesmen ever appeared before the commission, but their dealings with the commission were always through the engineer.

All investigations, touching corruption or malfeasance on the part of any of the employes of the department, were conducted by the engineer behind closed doors without the knowledge or consent of the commission. From these investigations the engineer made his decision and communicated the same to the commission or not, as he saw fit.

All mail addressed to the commission was received by the engineer and only such of it that suited his purposes was shown to the commission. Mr. Johnson sought to correct this by introducing a resolution requiring all mail addressed to the commission to be shown to the commissioners after it had been passed on by the Highway Engineer, but this motion was voted down by the commission. He likewise requested to be shown copies of all out-going mail, but this was refused.

In the local banks throughout the State there were deposited many hundreds of thousands of dollars of funds belonging to the Highway Commission, and these funds could be checked on only by the engineer who issued the checks when he saw fit to do so, without the knowledge or consent of the commission. The commission was not even shown the cancelled checks which were issued by the engineer. The engineer was under only a $10,000.00 bond and was disbursing the moneys of the taxpayers of this State without any safeguard or restriction as to the purposes for which the checks were drawn. Mr. Johnson introduced a resolution to require this money to either be paid into the State Treasury or to require checks on such funds to be issued only with the approval of the commission. This was voted down. In 1928, the Attorney General gave an opinon that this procedure was illegal and stated that the money in these local banks should be paid to the State Treasurer and disbursed only by checks issued by her. This was finally agreed to by the commission, but has not been carried out, for the reason that there are over $275,000.00 in local banks today subject to be checked upon by the Highway Engineer.

Because of a forgery which he found in the minutes, which was made possible by removing a page from the loose-leaf minute book, Mr. Johnson made a motion to require the minutes to be kept in a book with a permanent binding, but this has not been done. Mr. Johnson sought to require the engineer and maintenance employes to make daily reports, stating where they were at work on each particular day, the

nature of the work transacted and with whom they were engaged. The motion was voted down.

On one occasion, the Commission approved after considerable discussion, a set of specifications known as specifications 74. Those specifications were subsequently changed by the engineers and were printed without the knowledge or approval of the commission.

A report to the Legislature was adopted by the commission, but the report which was filed is not the report which the commission had adopted and contains numerous changes and additions which were never called to the commission's attention.

At meetings of the commission, Mr. Johnson would make motions and give explanations for his vote on different matters coming before the commission, but those motions and the reasons given by the commissioner were expunged from the minutes. After each meeting, the Secretary would mail out to the commissioners a skeleton copy of the minutes, which skeleton copy would contain merely the readings and would omit the body and substance of the matters which the commission had considered. Mr. Johnson made repeated attempts to have true and complete copies of the minutes furnished to him, but this was never done. This is important, in view of the fact that no minutes of the commission were ever read at their official meetings for their approval. It is also important, for the purpose of showing the absolute authority that was given the Highway Engineer in the conduct of the business of the commission.

Under this system, which prevailed in the commission, there grew up a policy of absolute secrecy which prevented the commission from having any information about its own business. It has also enabled the Highway Engineer to have complete authority and control over the business of the commission and to dominate and control every employee of the commission. The committee recognizes that a great deal of the administrative work of the commission must be done under

the direction of the Highway Engineer, but it feels that that work should be done only with the approval of the commission after it has been given the fullest information on the subject. The usurpation of such power by the engineer destroys the very purpose for which the commission was created and permits practices which are subversive to the interests of the people at large. The law contemplates that the commissioners shall be appointed because of their knowledge of things which will be for the best interests of the people of the entire State and who are capable of seeing that those interests are served in the most honest, intelligent and economic manner. It likewise enables the engineer, with his absolute power, to hire and discharge employes, to promote and demote them, to raise and decrease their salaries, to build a political machine in the State in the interest of one man or set of men which can always defeat the popular will. The system likewise permits the favoring of certain contractors to the detriment of others and thereby destroys free competitive bidding on contracts executed by the commission.

There are various other evils that can and have arisen under this system, and we cannot recommend too strongly that this system be destroyed and that proper safeguards be erected against its recurrence. The blame for this state of affairs, not only rests upon a majority of the commission, but also upon the Governor himself. This situation was repeatedly called to the Governor's attention, but he made no effort to correct it. It would have been a simple matter for him to have done so, especially in view of the fact that the evidence before this committee shows that he held the resignation of two of the commissioners when he appointed them.

Political Activities of the Department.

Under the system which is described above there has grown up in the Highway Department a vicious political machine under which several of the commissioners and many of the employes have been guilty of the most pernicious polit-

ical activities. This power has been exercised for the purpose of influencing legislation for the election of candidates and for the building of roads.

The most recent exercise was in the 1929 elections, wherein members of the Highway Department put to work the force of the department to elect candidates to office and to defeat the Highway Ripper Bill then pending before the Legislature.

The building of this machine first had its inception in September of 1928, when the Highway Engineer required all employes to furnish his office with their names, addresses, length of service and *political affiliation*. This was followed up by the preparation of an application blank, which all applicants had to make out in seeking employment with the Department, in which they were required to state their "church affiliation, lodge affiliation, political affiliation." From such lists the Highway Engineer had a complete poll of the six thousand employes in the department and, therefore, knew in advance of every election what could be required of any employe in the way of political activity. It likewise enabled the engineer to reward those who were politically friendly and to punish those who were otherwise. It enabled the shifting of employes from one locality to another where their activities would be most helpful, to say nothing of dismissing employes for political reasons. There are numerous instances in the record before the committee where employes have been shifted from one place to another, and where others have been discharged for no apparent reason. We desire to point out some instances of this activity:

We will first discuss the commission's activity with reference to the ripper legislation.

After the Legislature convened, an order was entered directing the survey of a road in Clark County and to advertise the letting of the same in the first letting of this year. That afternoon a certified copy of that order was furnished J. O. Evans, the representative from that county. The appli-

cation for this project had been pending since the spring of 1926. That night Mr. Con Craig endeavored to get Mr. Evans to sign a paper obligating him to vote against the Ripper Bill.

Mr. Marcus L. Napier from Knott County, while in the Legislature, appeared before the Highway Commission with reference to a road between Hindman and Hazard, Kentucky, and an order was entered finding the center line of that road so that the right-of-way could be obtained. Shortly thereafter, he was called out of the House by Con Craig and a Mr. Johnson, of the Hazard Coal Exchange, and was told that they were interested in getting the road connected between Hindman and Hazard, but that if the Ripper Bill was passed there would be litigation for six months or a year and that the letting of the road would not be made. They asked him that in view of the fact that he was from Knott County if he did not think he should not disturb the road commission for the reason that if it were disturbed Knott County would not get the road. They then tried to get him to commit himself as to how he would vote on the Ripper Bill.

Just prior to the convening of the Legislature, the Highway Department made a survey for a highway through the property of J. A. May, the representative from Floyd County. After the Legislature convened, the Highway Department made a second survey, which ran through the residence of Mr. May, and he went to see the Highway Engineer and J. A. Scott concerning it. He was thereupon told by Mr. Scott that the survey would be changed if he would vote against the Ripper Bill. The next morning Mr. May met Mr. Con Craig and Mr. Craig told him that if the Commission was torn up, Floyd County would not get anything for the next three years, but that if Mr. May would vote against the Ripper Bill, he could get what he wanted.

Now let us consider the activities with reference to electing members to the Legislature.

A. E. Chestnut, of Knox County, was a candidate for the Legislature in the Democratic ticket. Three weeks before the

election, Mr. Ray Ballard, the Governor's Executive Agent on the Highway Commission, came to Knox County and spent approximately the entire time in an effort to defeat Mr. Chestnut. He made one speech and wrote several letters urging the election of Chestnut's opponent. He drove around the county in a car belonging to the Highway Department. On Saturday and Monday before the election, Mr. Chestnut's opponent used Ballard's car to distribute political literature. Senator Robsion likewise did some campaigning with Mr. Ballard. Harry Davis, an employe of the Highway Department, made a trip to one section of the county in the interest of Mr. Taylor, the Republican opponent. Charles Greene, one of the Governor's henchmen, likewise engaged in this fight against Mr. Chestnut.

During the campaign for the November election, Mr. Douglas Hays, member of the Democratic State Central Committee, talked with Mr. J. A. Scott, and told him that they were interested in a road being built in Floyd County and Mr. Scott told him that if they got the road it would be necessary for him, Hayes, to have his cousin, M. L. Napier, the representative from Knott County, and Mr. May, the representative from Floyd County, to vote against the Ripper Bill. He said that Floyd County would not have a chance to get the road unless these two representatives voted against the Ripper Bill. Thereupon Mr. Hayes advised him that if it was necessary to trade off his party to get a road, he would continue to ride his mule as usual.

Dr. W. L. Stumbo heard the same conversation that was detailed by Mr. Hayes, and in addition thereto, Dr. Stumbo stated that last fall Mr. Scott tried to force Mr. May to withdraw as a candidate for the Legislature in favor of a Republican by the name of A. L. Allen. He said that if Allen were elected, he, Scott, could do more for the county than if May were elected.

K. J. Day, manager of the Wholesale Grocery Company at Pikeville, testified that last fall, Mr. Scott came to him and

told him that Mrs. Langley should not have any opposition in her race for Congress, and that if she did have, it would hamper the road work in that county.

C. E. Davis, Union County, a maintenance foreman in the Highway Department, testified that in the August Primary, Mr. Con Craig came to him and instructed him to let the roads "go to the devil" for a few days and to go out and work for Mr. Watkins, the opponent of Mr. Taylor Munford, both of whom were candidates for representative.

Robert C. Foster and Dewey Jones testified that they were employed in Christian County by the Highway Department and were told to work at the polls for the Republican ticket. Before the election, however, Mr. Foster was discharged because he was a Democrat, at the instance of the Republican candidate for representative. These gentlemen also testified that other employes worked at the polls on election day and received pay from the commission for such work.

R. C. Moore, E. E. Shannon and J. H. Frasher testified that on the Saturday preceding the November, 1929, election, J. A. Scott advertised a Good Roads meeting at the Court House in Louisa, and that they attended same thinking that the meeting was called in good faith to discuss road construction in the county. When they arrived, they saw Mr. Scott and Mrs. Shirley Burns Wellman, a member of the State Board of Charities and Corrections, sitting on a table discussing politics with several people present. Scott promised to build a bridge across the Big Sandy River and build other roads in Floyd County, provided the people of the county would elect to the Legislature a Republican by the name of Evans.

Mr. Moore also saw drivers of Highway trucks tacking Evans' literature on posts along the highway. On the day of the election, he saw the Maintenance Engineer bring two men to a voting precinct in a drunken condition and send them in the polls to vote. Those men who voted did not live in Lawrence County.

In Bell County, it appears that there is a general and promiscuous use of whiskey among the highway employes in that county to such an extent that the maintenance of the roads is badly neglected. One witness saw two gallons of whiskey being transported in a highway truck and taken to the highway garage.

In Nelson County, near the village of Boston, there is a four-mile gap in United States Highway No. 50. The road is impassable in wet weather. This road extends from the Mississippi River to the Rocky Mountains. Preceding the November, 1929, election, bids were open for the building of this stretch of road, and the next day the Republican County Chairman for that county came to a man by the name of R. H. Waters and told him that he came down there to tell him how he could get his road built and that if people in that county would elect Leland Hubbard, Republican candidate for county judge, the road would be built, but if he should be defeated the road would not be built. This Republican, in order to convince Mr. Waters that he knew what he was talking about, stated that he was going to have Oliver Johnson and a man by the name of Roby discharged from the Highway Department and move another employe by the name of Lee out of the county. This was subsequently accomplished. He also told Mr. Waters, who was in the rock crushing business, that the Highway Department had authorized him to buy some stone for the surfacing of that road from a competitor of Mr. Waters. On Sunday before the election, Mr. John M. Robsion, candidate for United States Senator, gave out the report that he likewise was going to control that road near Boston, provided the election went right.

T. B. Smith, of Winchester, Kentucky, was employed by the Highway Department as District Engineer and had been in that employment for thirteen years. In September of 1928, the Highway Engineer asked for his resignation and said that the Governor had demanded it on several occasions. No explanation was given Mr. Smith as to why his resigna-

tion was demanded, but it was stated to him that his service record was good. His position was filled by a Republican.

J. H. Boone, of Frankfort, Kentucky, a man sixty-six years old, had been in the employ of the Highway Department for six years and seven months as night watchman in the garage at Frankfort. In June of 1928, when he went to work one night, he was notified that there was a man there to take his place. This was the first information he had received on the subject. He thereupon called upon Mr. Watkins, the Highway Engineer, and told him that he had been discharged because one of the employes had gone to the garage the night before and tried to get in, but that he, Boone, would not admit him because he had a woman in the garage. Boone advised Watkins that there was not a word of truth in it and demanded a hearing, but Watkins would not even give the name of the informant. Some time later Mr. Posey, the Maintenance Engineer, told Mr. Boone, that they would not permit any man to work for the Highway Department who had voted for Senator Beckham. Thereupon Mr. Boone wrote Major Helburn, telling him what had occurred and Mr. Helburn wrote back, professing ignorance of the entire matter and stating his confidence in Mr. Boone and promising to do what he could for him. Thereupon Mr. Boone wrote to the Governor, giving him the facts about the matter, and asking a hearing on such a serious charge. He also went to see the Governor and the Governor promised to let him hear from him, but he heard nothing further from the Governor. Some time later, Mr. Watkins admitted to Mr. Boone that the charge was false, but did not offer to give back his job.

W. E. McAllister, of Boyle County, had been in the employ of the Highway Department for eight years. On the 10th day of December, 1929, he was discharged. He had been Maintenance Supervisor for eight counties. When he learned of his discharge, he went to the Republican Campaign Manager for his district and was advised that there was no complaint against his work, but that the Republicans were then

"in the saddle" and that they were going to ride no matter how bumpy the roads were and that they had a man ready to take his place. McAllister is a Democrat and was replaced by a Republican, who was a car inspector for the Southern Railroad. McAllister's successor had no experience in road work and could not even drive an automobile, although Mr. McAllister stated that he was required to travel about twenty-five hundred miles a month in his work. He then went to see the Governor about his dismissal, and the Governor told him to step out and turn the job over to his successor.

D. Nile Evans was the Equipment Engineer of the Highway Commission. On December 9, 1929, he was called to the Governor's office and the Governor asked for his resignation. The Governor stated that his record was all right in every respect. Mr. Evans is a Democrat. A short time prior to the November, 1929, election, Mr. Ray Ballard, the Governor's Executive Agent, and Ralph Homan, another Republican, solicited from Mr. Evans and other employes of the Highway Department campaign contributions to be used in the November election. The solicitation was really in the nature of an assessment as the amount solicited was based upon the salary that each employe was receiving.

Judge Ben B. Morris, County Attorney of Ballard County, stated that a firm of contractors by the name of Carter, Carter & Braden, had done some road work for the county and put in a fictitious claim against the county, amounting to $3,600.00. There was absolutely no merit in the claim and the county declined to pay it. Thereupon Mr. Con Craig notified Ballard County that unless they paid the claim, all road work would stop in that county. Judge Morris explained to Mr. Craig and the Highway Engineer that the claim was without merit and that the county was willing to leave the matter to the determination of the Highway Department, to arbitration or to any court that might be selected for that purpose. This was never agreed to by the contractors, but Mr. Craig continued to insist that the claim must be paid and went so

far as to threaten that unless it should be paid, he would permit the contractors to sue the Highway Commission and confess judgment for $10,000.00. Nothing was ever done about the matter, but in the summer of 1929, Ballard County was notified by the Auditor that the Highway Commission had instructed him to withhold the truck license tax due Ballard County on account of this claim of Carter, Carter & Braden. The county sent representatives to Frankfort, but could not get the truck license tax released. When the Legislature convened and the Highway Ripper Bill was under consideration, the Highway Commission advised Ballard County that they had released the truck license tax, which was being held on account of the Carter, Carter & Braden claim, but were withholding it on account of an old debt that the county owed the Highway Commission on some road project. This is the first time any such claim had been asserted by the Highway Commission, and was wholly without merit. At the same time that these matters arose, a report was being circulated through the county that if the representative in the Legislature from that county would vote against the Ripper Bill, all matters would be straightened out. The representative voted for the Ripper Bill and the truck license were not released. On the day this witness testified, he obtained an opinion from the Attorney General, stating that the Highway Commission had no right to instruct the Auditor to withhold these taxes and that the Highway Commission's claim was without merit.

On the 10th day of October, 1929, a letter was sent out on the stationery of the State Highway Commission, quoting excerpts from a speech made by Congressman J. M. Robsion at Liberty, Kentucky, on October 8, 1929, in which speech said Robsion denounced, in most vicious language, the Franklin County Grand Jury for its investigation of the Highway Department; and in that same speech an appeal was made on behalf of the Republican ticket in the coming November election. In the January and February issues of the Kentucky Highways magazine there are two laudatory articles concerning Mr. Robsion.

Mr. Johnson stated that immediately preceding the November, 1929, election, road construction work in Meade County was stopped by the commission for political reasons. Previously the Governor had dictated, in Mr. Johnson's presence, the road program for Meade County, and shortly before the election the judge of the county came before the commission and obtained an order for the advertisement of a road towards Greensburg. Thereupon one of the commissioners took out of his pocket a typewritten memorandum and made a motion to cancel the order of advertisement, which was adopted by a 3 to 1 vote.

Just before the 1927 election, John Ashcraft, of Elizabethtown, and Gabe Wharton, of Springfield, were opposing candidates for State Committeeman. Wharton was opposed to Sampson. The Maintenance Supervisor, Bob Faulkner, was for Wharton. As a result of that contest, Faulkner was dismissed and a Republican was given his job. The reason given for the discharge was for the sake of economy, but on that same day the salaries of twenty-four of the employes were increased. Shortly thereafter there was another reduction in the salaries made of one-half dozen men, but at the same time seventy salaries were increased. Immediately before the August, 1929, election the salaries of twenty-seven employes were materially increased, to take effect July 1, 1929. No explanation was given to the commission as to why these salaries should be increased.

The foregoing is but a brief recital of the political activities of the Highway Department and illustrates the possibilities for compelling, not only the employes of the department, but candidates for office, to do the bidding of the commission. The most serious problem now facing a majority of the counties of this State is that of good roads. It is, therefore, an easy matter for the commission to threaten and intimidate the voters of those counties by offering to build or by refusing to build their roads. Such power should not be put in the hands

of any man or set of men, or any department of the State Government; and every possible safeguard should be thrown around the functions of the Highway Commission to insure the building of roads when and where they are most needed. The loss of suffrage is too great a price to pay for the building of a road. Unless this practice is stopped a greedy Highway Commission can extend its clutches into every department of the State government.

PROGRESS COMMISSION.

The activities of the Highway Department, and the desire of the Governor to use the same for his own purposes, is illustrated by their attitude toward the Progress Commission. After the election of Governor Sampson, he called a meeting of the heads of the various departments of the State government to meet with the Progress Commission. Mr. Johnson, as chairman of the meeting, did not know the purpose for which he was invited, and assumed that the Progress Commission wanted to learn his attitude with reference to the road program. Such, however, was not the case, because it soon developed that the meeting was called for the purpose of raising funds for the Progress Commission. The Governor stated, in unmistakable terms, that those employes drawing salaries from the State Government must cease to draw salaries or contribute to the support of the Progress Commission. Shortly thereafter a communication was sent to all employes of the Highway Department, signed by J. S. Watkins, State Highway Engineer, and purporting to be an extract from the minutes of the commission. That communication recites that it is the sense of the commission that the Kentucky Progress Commission has undertaken a great work and that the employes of the Highway Department should cooperate in every way possible in assisting the organization of the Progress Association, and that every employe, who was financially able to do so, should become a member thereof. Accompanying that communication was one from the Secre-

tary of the Progress Commission, which stated that the Governor is desirous that every State employe shall become a member of that commission, and expresses the belief that the employes of the Highway Department will sign up 100%. That communication encloses a membership card directing the employe to give or mail his check and membership card to the District Engineer of the Highway Department. When those communications were received by the employes of the Highway Department, they had no difficulty in understanding that it was a demand on them to join the Progress Commission, and they realized that if they did not do so, it would cost them their jobs. One man was called upon to pay $25.00, whose salary was $175.00 per month. He stated that he was not financially able to make the contribution, but realized that it was necessary for him to buy his job.

The Rules Committee of the Senate had a hearing on this same subject, and it was ascertained that the same sort of solicitation was made from the members of the Feeble-minded Institute. The further significant fact was brought out in that hearing that this solicitation had been successful only in those departments of the State Government, the head of which had been appointed by the Governor.

This sort of coercion practiced upon the employes of the State cannot be too strongly condemned. It has no proper place in the government of free people.

Road Work.

The present organization of the Highway Department makes it possible for every sort of graft to be committed, and enables the Highway Engineers to be guilty of the very worst form of favoritism toward the road contractor.

Bids are made on the engineer's estimate of the amount of work to be done on a particular project. After the project is completed, the work is measured for the purpose of determining the exact amount of work which the contractor did. This work is generally measured by the local engineer in

charge of the project. The work can be measured liberally or otherwise, according to the personal relationship between the engineer and the contractor, and the measurement can be influenced by self-interest of the engineer.

If the final estimate exceeds the contract price it is called, in road parlance, an "overrun." Sometimes these "overruns" amount to as much as $33^1/_3\%$ of the amount bid. We have a striking illustration of the weakness of such a practice in the construction of Project 138A, McCreary County. A part of that project ran through the side of a rock cut, and the cross-section of the plans specified how much of the rock should be removed. It also fixed the center line of the road. The engineer on the job was instructed to check up the final estimate on the work, and in doing so he ascertained that the road had been built away from the center line and that in going through the rock cut a considerable portion of the rock had been avoided. He further ascertained that the contractor had not excavated as much rock from the roadway as the plans called for, but had raised the rock line from three to five feet, thereby changing the elevation. The contractor, however, was paid the same amount as if he had built the road according to the original plans. He was also paid quite a little for the earth that he removed. The engineer who had been sent to check upon the work became very much incensed over what had occurred, and went to the county officials and asked them to do something about it. He was thereupon called into the office of Chief Engineer Watkins and an investigation was held behind closed doors, in which his testimony was taken down in shorthand and he was severely reprimanded. As a result of his complaint, he was taken off of road work in that section of the State and was given a subordinate position in the office of the draftsman. Prior to that time, he was laid off for two weeks. Later he was sent to western Kentucky, and finally discharged on several pretexts, which turned out to be false. The engineer went so far as to report it to the Governor and told him that the Highway Department was going

to whitewash that job unless something was done about it. Nothing, however, was done about it. The "overrun" on this job alone was $87,000.00 and the engineer says that it should not have exceeded $30,000.00.

In Magoffin County, the specification provided that not more than 5% of dirt should be in the limestone which was to be spread on the road, but stone was accepted containing from 25% to 30%.

In Boyd County, the contractor was permitted to substitute slag for limestone, which cost less than one-half what limestone would have cost. When slag is covered with oil or tar, it is practically impossible for any one to discover the substitution.

From these instances, it can be readily seen that there is the greatest opportunity for collusion to be practiced between the engineer and the contractor and for the State to be defrauded of many hundreds of thousands of dollars. Some means should be devised by which such practices can be stopped, or at least their accomplishment made more difficult.

The schemes which have been devised, by which contracts can be let to favor contractors, are remarkable in their ingenuity. A favored contractor, who has inside information on the amount of work that will be required on a particular job, and which is not shown in the Engineer's estimate, or a contractor who knows that his work will be liberally measured by the Highway Department when the final estimate is taken up, or a contractor who knows that liberal time extension will be granted him in which to complete the work, or a contractor who knows that the engineer will permit him to furnish additional material on a particular job, is in a position to make a bid for the work that a less favored contractor cannot meet. To illustrate:

In Grayson County, bids were advertised for a road which required 18,000 tons of commercial limestone or 20,200 of local limestone. The only difference between commercial and local limestone is that commercial limestone is purchased

from some one else, usually the Consolidated Stone Company. On this project was a rock quarry which had been tested by the Highway Commission and the rock was found to be of quality equal to that of commercial limestone. One contractor, who had his stone crushing outfit, bid on local limestone at $2.00 per cubic yard. Another concern bid on commercial limestone at $2.10 and was awarded the job. However, the specifications called for the removal of a large amount of dirt, which at standard prices would amount to about $6,000.00. The contractor bidding on the commercial limestone, however, bid an absurdly low price for removing this dirt, which made him the low bidder, in other words his bid for removing the dirt was 1c per cubic yard and the regular price was in the neighborhood of 30c per cubic yard. Both contractors knew, however, that this road had already been graded and drained and there was no possible justification for asking for bids on the removal of dirt in any such quantity. The contractor bidding on the local limestone, however, was not in the favored class, and he was afraid that if he had bid a low figure on the removal of the dirt, he would have been required by the engineer to move it. The contractor, who was favored, knew he would not be required to move it, consequently his absurd bid on moving the dirt worked to his advantage in getting him the contract and did not work to his disadvantage because he was not required to move the dirt. In addition to all this every one knew that more than 18,000 tons of limestone would be required to surface this road; and they likewise knew that if it took 20,200 tons of local limestone, it would take that much commercial limestone. Before the job was completed, the engineer directed the contractor to furnish 2,000 additional tons of limestone for this road, for which he was paid $2.10 per ton extra. This project was evidently framed in favor of the contractor who got the job, both in the amount of limestone that was to be furnished and also in the amount of dirt that was to be moved.

Another scheme resorted to by the Highway Engineers

to award contracts to favored contractors has reference to the number of days specified in which the project must be completed. The advertisements usually provided that the work must be completed in a specified number of days and the bid price on those days is $55.00 per day. The effect of this is that if the project is not completed within the specified number of days, the contractor is penalized in the form of liquidated damages $55.00 per day for the number of days that he runs over the contract period. However, the contractor is permitted to bid that he will complete the project in a less number of days than the days specified by the advertisement, and in that event he will be given credit on his bid for the purpose of determining whether he is the low bidder. That amount is not deducted from his contract price, but it is taken into consideration in determining whether he is the low bidder. If the period specified is one hundred days, and one contractor bids to complete the job in one hundred days, and another contractor bids to complete it in fifty days, the latter will be given a credit on his bid of $2,750.00 for the purpose of determining whether he is the low bidded. If his bid is otherwise $2,700.00 higher than that of the other bidder, the one bidding the fifty days would nevertheless be awarded the contract. No contractor, therefore would take a chance on bidding to complete a project within a less number of days than would be actually required, unless he knew in advance that he would not be held to strict accountability by the engineer. The "day" referred to in these proposals relate to working days as distinguished from calendar days. Consequently the engineer can certify that a certain number of days were not working days, because of impossible weather conditions in the locality. He can likewise certify that the completion of the project was delayed through some failure of the Highway Department to do its part of the work. This manipulation of these contracts is shown by the numerous instances appearing on the minutes of the Highway Commission where extension of time were

granted to the contractor. There are many instances where the time extension was not granted until after the project was completed, and the extension and the final payment were made simultaneously. Your committee has likewise discovered that it was not the policy of the Highway Department to collect liquidated damages from contractors where they had not completed the project within the time required, and it was not until Mr. Johnson insisted, and the Attorney General concurred that these claims were collected.

There is another device, which has been resorted to for the purpose of accepting the bids of favored contractors. On a certain project the engineer's estimate can specify that there are ninety cubic yards of stone to be removed. In one instance the favored contractor bid $15.00 for removing this stone and other contractors bid as low as $3.00. On the other items of work, however, the favored contractor was so low in his bid as to cause the contract to be awarded to him. In measuring up the work after the job is completed, however, it might result that there were 2,090 instead of 90 cubic yards of stone which had to be removed for which the contractor would be paid $15.00 per cubic yard. It will, therefore, be readily seen that on this one item alone, the favored contractor, who had advance information about the yardage of this stone, had an advantage in his bid of $24,000.00 over the contractor who bid $3.00 per cubic yard.

These devices are well known to contractors, and it has deterred reputable contractors, who are not in the favored class, from putting in bids on road projects. This is an unhealthy state of affairs for road building in this State and expert advice should be obtained for the purpose of correcting it.

Purchasing of Material and Supplies

Analogous to what the committee has reported with reference to road contracts, it is convinced that the same opportunities exist in a different way for the purchases of materials and supplies. The committee is not prepared to state that

there has been any actual graft in these purchases, but it can say that there has been inexplicable favoritism and concessions given to certain persons furnishing them.

Under the law, the Highway Department has no authority to make purchases, but they should come through the Purchasing Commission. However, this matter has been entirely ignored by the Highway Department and it has not hesitated to obtain quotations and make purchases in violation of law. Shortly after the fire which destroyed the offices of the Highway Commission, the Maintenance Engineer recommended to the commission to purchase some red wood posts in California to use as sign posts on the side of the highways. Mr. Johnson opposed the purchase and no authority was given for it to be made. Some time later, Mr. Johnson discovered that the Maintenance Engineer had purchased 800 red wood posts for $1,040.78, upon which he paid freight of $427.55. The price of those posts, according to Mr. Johnson, was twice as much as it would have cost to buy posts equally as good in the State of Kentucky.

The records of the Highway Department show that the Maintenance Engineer purchased some lumber at Corbin, Kentucky, to be delivered at London. Only three persons had been asked to bid. One was from a distance, another was at London, Kentucky, and the third was at Corbin. According to the figures, the London firm was the lowest bidder, but under the total of the bid of the Corbin firm was a small blank space in which there had been written in pen and ink "f. o. b. Corbin." If that had not been inserted in the bid of the Corbin bidder, he would have been the lowest bidder. When Mr. Johnson discovered this, he took the matter up with the employes in the Highway Department and discovered that the words "f. o. b. Corbin" had been inserted by the assistant to the Maintenance Engineer, and this was done without the knowledge or consent of the Corbin bidder. By this trick of falsifying the bid, the contract went to the London concern. It was while investigating this matter that the fire occurred

which destroyed the records of the Highway Department to which we will subsequently refer.

When the Munfordville bridge was bought, it was recognized by the commission that new floor would have to be laid in it. *Some seven or eight months later,* the Maintenance Engineer sent six or seven telegrams to lumber dealers asking for bids on treated long-leaf pine 4″x10″ and 18′ long, which telegram stated that *if the material could not be furnished immediately,* no bids should be sent. Some of the parties responded that they could not furnish the material immediately. Two parties put in alternate bids. A Chicago concern bid $75.00 a thousand on long-leaf pine and $60.00 per thousand on inferior pine. An Alabama concern bid $74.00 on treated long-leaf pine and $54.00 on the inferior pine. W. P. Brown & Sons, of Louisville, was cheaper than the Chicago concern. For some inexplicable reason a telephone conversation was then had with the Chicago concern, and it was awarded the contract. The material which was furnished was 3¾″ thick instead of 4″ and were shorter lengths than that asked for. It likewise was not furnished immediately, but at different times over a long period of time.

The Highway Department asked for bids on a large quantity of oil, but only three concerns were asked to bid. One was in New Orleans, one was at Louisville, and the other was at Lexington. The bids were f. o. b. Frankfort. The bids of the Lexington and Louisville concerns were almost identical, but the bid of the Lexington concern had been written in pen and ink, and in ink a smaller figure immediately above had been inserted. The Lexington concern was awarded the contract. However, the bid from the Louisville concern was sent by telegram at 2:17 o'clock P. M. and shortly, thereafter a telephone conversation was had with the Lexington concern. There was also a letter in the files of the Highway Department from the Lexington concern thanking someone for the telephone conversation.

These transactions are so palpably fraudulent that it would be mere surplusage for the committee to denounce it.

Another example of the laxity of the commission in making purchases is a resolution adopted by the commission authorizing the Highway Commission, or any of its subordinates, to purchase real estate anywhere, subject to the approval of the commission. Mr. Johnson states that under this board authority no purchases were ever reported to the commission for its approval. Needles to say, no one but the Commission should have any such authority.

THE FIRE

On the night of February 22d, a fire occurred in the offices of the State Highway Commission and many valuable records were destroyed.

On February 21st, Mr. Johnson had been examining the records of the Highway Department, with a view of making a report to the Governor of the conditions that he found to exist. It was well known to all that Mr. Johnson had tendered his resignation to the Governor, and had stated that he was preparing such a report. On that day, Mr. Johnson had taken to task the employe of the Highway Department who had inserted the words "f. o. b. Corbin" in the bid of the Lumber Company that had bid on the lumber to be delivered at London. He told the employe that he intended to pursue the matter further on the 23rd. On the 22nd of February, the same being a holiday, Mr. Johnson went to the Highway Department and endeavored to get into his office, but found the same locked and he could not obtain entrance thereto. That night the fire occurred.

On the morning following the fire, Mr. Johnson investigated the conditions surrounding the fire, and his examination disclosed that the fire occurred in his office and in the file room immediately adjoining it. The fire was so intense in Mr. Johnson's office as to melt the electric light globes and

the crystal chandelier therein and was equally that intense in the file room. He discovered that in the file room the drawers of the steel file cabinets had been pulled out and the heat from the fire had been so intense as to buckle them so that they could neither be opened nor closed. This fact showed conclusively that the drawers to the file cabinets had been opened prior to the fire, and the inference is plain that they were pulled open either for the purpose of extracting records or to enable those records to burn up. The fire was successful in accomplishing this result.

Mr. Johnson is of the emphatic opinion that the fire was of incendiary origin, and from the evidence which the committee has before it, it is forced to concur in that opinion.

After Mr. Johnson's first examination of the effect of the fire, and its causes, he took the Governor on a tour of inspection and pointed out to him the things that he, Johnson, had discovered. He then expressed the opinion to the Governor that the fire was of incendiary origin and the Governor had no comment to make.

Extravagance and Waste.

It is a well-known and obvious fact that the employes of the Highway Department use the State's automobiles for their private use whenever it suits them to do so, and especially on Sundays and holidays. Mr. Johnson began investigating this situation and he and Mr. Palmore, the present Highway Engineer, made an estimate, in which they agreed, that the use of these automobiles for private purposes cost the State at least $60,000.00 per year. This matter was brought to the attention of the Highway Commission and Mr. Johnson introduced a resolution to stop this practice, but the motion was defeated. The effect of defeating the motion was to sanction the use of the automobiles by the employes.

John Sampson

A very reprehensible practice has been engaged in by

John Sampson, brother of the Governor, under which John Sampson would accept employments from interested persons to use his influence with the Governor to cause roads to be located and built according to the wishes of his clients. He was employed for that purpose and let it be known that he could deliver the Governor on these matters. There is one instance in the record where John Sampson was recommended by Ray Ballard, the Governor's Executive Agent on the Highway Commission and there is another instance where he made an engagement with the Governor for a delegation to see him and accompanied the delegation to the Governor's office.

It is inconceivable to the committee that the Governor was unaware of the activities of his brother in these disgraceful matters; and it is to be regretted that the sensibilities of the Governor were not shocked to such an extent as to put a stop to them.

POLITICAL DISTRIBUTION OF ROAD FUNDS.

It seems to have been the policy of the Road Department to allot to each commissioner a certain proportion of the road fund to be expended in his particular district. The committee regards such a policy as wholly unsound and believes that the building of roads should be undertaken without reference to sectional lines and wherever they are most needed. But even this policy was not adhered to by the commission. When Mr. J. A. Scott was appointed to the Highway Commission, the portion of the road fund alloted to his road district was depleted. Thereupon Mr. Con Craig allotted to Mr. Scott half of the remaining road fund in his district; Mr. Hanna contributed part of the road fund in his district; and they took all the road fund in Mr. Johnson's district and gave it to Mr. Scott to be expended in his district. This could not possibly have been done for any purpose except politics. No part of the State has suffered more from the lack of good roads than the road districts of Mr. Craig and Mr. Johnson;

and it was, therefore, an inexcusable imposition upon the people of those sections of the State to transfer the fund from those districts to any other district. By this statement the committee does not mean to say that the eastern section of the State is not in great need of better roads, but it does mean to say that roads have not been sufficiently improved in western Kentucky to permit it to be generous with any other section of the State. If any of the road funds allotted to eastern Kentucky had been transferred to western Kentucky, the committee would have readily condemned such a practice.

The committee hopes, however, that no Highway Commissioner will confine his interest to any one particular section of the State, but that in the construction of roads he will look to the State as a whole and will first build those roads which are the most needed.

Bridges

Your committee is convinced that exhorbitant prices have been paid for some of the bridges purchased in this State. The committee has not completed its investigation with reference to such matters, but from evidence before it, it feels fully justified in making the above statement. In the advertisement, prospectus and bidding form for the sale of toll bridge bonds, the Highway Commission estimates the cost of the bridge at Calhoun over Green River at $450,000.00 and the bridge at Spottsville at $313,000.00. Plans were drawn for these two bridges in conjunction with the Bridge Engineers of the Highway Commission, and on the bridge at Calhoun persons who proposed to build the bridge had a contract with a reliable bridge building corporation to construct it for $187,000.00. The bridge at Spottsville could have been built for approximately $200,000.00. If these figures are correct, and we have no reason to question them, it is obvious to the committee that some one is seeking to make an unreasonable profit on these bridges, and the committee recommends that these matters be carefully gone into by the New Highway Commission.

The committee also condemns the secret conferences that have been held by Mr. Con Craig with certain banking houses seeking to purchase these bonds and with certain intimate friends of his who are interested in such a proposition. Any such proposal should be openly and fairly made to the entire commission with full opportunity to all reputable banking houses to submit their proposals, so as to insure that the question will be decided on its merits and its merits alone.

In this same connection, we call attention to the efforts made by Mr. Craig to persuade the Highway Commission to purchase a traffic survey made by a certain banking corporation in connection with the Munfordville bridge. The survey was offered after the option of the banker had expired. It was wholly worthless to the commission at that time, for the reason that the commission had a record of the actual receipts from tolls for the use of that bridge. Mr. Johnson advised Mr. Craig that the survey had no value to the commission and that he would oppose purchasing it at any sum. Notwithstanding Mr. Johnson's position on the matter, Commissioner Helburn attempted to sell this same survey to the Commission and asked Mr. Johnson if he would be willing to pay $1,800.00 for it. Mr. Johnson made the same reply to Mr. Helburn that he made to Mr. Craig.

This attitude of these Commissioners to sell a worthless document to the Highway Commission evidences a reckless disregard for the proper expenditure of public funds.

Cement Plant

The record shows that practically all proposals for the sale of bridge bonds were first presented to the Governor before they were called to the attention of the Commission. The only explanation for this procedure is that the commission was under the complete domination of the Governor and that no proposition would be accepted unless it met with his approval.

The first mention of a cement plant by the Governor seems to have occurred on April 10, 1928, when he wrote a letter to the Highway Commission advocating that the commission should take steps immediately to provide for the building of the toll bridges contemplated by the Murphy Bridge Act. In that same letter, the Governor mentioned that on the previous day he had had a conference "with some business men from another state," who were proposing to locate a large cement plant in Kentucky and manufacture cement from Kentucky materials. He further stated that the concern proposed to make the highest quality of cement for road and bridge purposes and was willing to give the State a reasonable discount upon cement used by it, but that they wanted an agreement whereby the State would specify its special brand in all contracts.

In August of 1928, a representative from Furlaud & Company, whom the committee will refer to as "Furlaud," investment bankers, located at 52 Wall Street, New York City, approached the Governor with a proposal to purchase the bridge bonds on twenty-eight bridges in Kentucky, aggregating in cost approximately $25,000,000.00, and outlined plans whereby the bridges could be built within a period of eighteen months. The Governor accepted the suggestion with enthusiasm and arranged for Furlaud's representative to see the commission and report back to him. Furlaud & Company's proposition did not meet with favor with the commission and Furlaud's representative reported back to the Governor the result of the interview. The Governor then suggested that Furlaud employ Judge E. C. O'Rear to represent it as attorney. Furlaud went to Judge O'Rear and, upon arrival, learned that the Governor had already informed him of the intended visit. Judge O'Rear informed Furlaud that he was very close to the Governor and that the matter was just as good as accomplished. Thereupon Furlaud agreed to employ Judge O'Rear and pay him a fee of $10,000.00 in the event it should become the purchaser of said bonds. A few days later Furlaud re-

ceived a letter in New York from Judge O'Rear, stating that he had seen the Governor, and that the Governor approved Furlaud's proposal. Some time later, Judge O'Rear insisted that Furlaud should come to Frankfort for a conference, for the reason that he could not explain over the telephone his proposition. Upon Furlaud's arrival at Frankfort, it developed that the real purpose of the conference was to interest Furlaud in financing the F. & C. Railroad and a cement plant, which some people proposed to locate on that railroad. Judge O'Rear specifically stated to Furlaud that the financing of the railroad and cement plant had nothing to do with the purchase of the bridge bonds, and that as the people were then in Frankfort, he would like for Furlaud to see them. Judge O'Rear stated that he was attorney for the railroad and also for the people who had the plan for the cement plant. The people whom Furlaud was to see, however, with reference to these matters, turned out to be J. B. O'Rear, the son of Judge O'Rear. Furlaud was not interested in his proposition, but that in order to get rid of him suggested that J. B. O'Rear put his proposition in writing and send it to New York. A few days later, J. B. O'Rear came to New York unannounced and took with him a set-up of his proposition, which contemplated that Furlaud & Company would purchase $2,500,000.00 of bonds on the railroad and proposed cement plant. He specifically stated at that time that he was not personally interested in the matter, but merely wanted to bring the matter to the attention of Furlaud. On the next day, J. B. O'Rear returned to Furlaud and disclosed, for the first time, that he, his father and brother-in-law were in fact interested in the project and that Governor Sampson and his relatives were likewise interested, but wished this latter fact to be kept a secret. Furlaud told J. B. O'Rear that his proposition was not sound, for the reason that he had no sale for the product of the cement plant. In a few days he returned to Furlaud with a telegram from his father, stating that the

Highway Commission had decided to use his product and showed a purported contract with the commission and the cement corporation, whereby the commission was to use its cement in the construction of roads and bridges. After examining the contract Furlaud told O'Rear that it was worthless.

Shortly thereafter J. B. O'Rear notified Furlaud that his father thought it was important for him to come to Frankfort again and that the call was very urgent. When Furlaud got to Frankfort, Judge O'Rear was waiting for him, but gave him no satisfactory explanation as to why he was asked to come to Frankfort. Judge O'Rear went to see the Governor and returned, saying that everything was all right and that Furlaud was to see the Governor alone the next morning. At the conference with the Governor the next morning, the Governor's conversation gave no explanation for bringing Furlaud to Kentucky, but the Governor stated in substance, "Judge has told me everything, and if he is happy it is all O. K." Furlaud still did not understand what the remark implied, and being irritated for having been brought to Frankfort for no apparent reason, he intended to take the noon train for New York. When he arrived at the hotel, however, he received a message that Judge O'Rear wanted to see him at his office. Judge O'Rear stated that his clients who owned the cement proposition were in town and wanted Furlaud to see them, as they wanted to know something definite. Thereupon Judge O'Rear stated that Governor Sampson was also interested in the cement plant and that they wanted a commitment that day. Furlaud then asked him what he was insinuating and what this under-hand work meant. Furlaud further stated that his office was investigating the cement and railroad proposition and had not reached a decision about it. In a few minutes three people came in Judge O'Rear's office and he announced to them that he had been able to get a definite commitment out of Furlaud concerning the cement project. Furlaud then, in great irritation, returned to New York.

Upon returning to New York and giving further study to the bridge bond proposition, Furlaud concluded that the bonds could not be successfully financed unless he had some agreement from the Highway Commission that the most outstanding bridge engineers in the country should be employed as architects for the bridges. Furlaud communicated this conclusion to Judge O'Rear and he reported that he would take the matter up with the Governor and would report back. He later advised Furlaud that the suggestion was entirely agreeable to the Governor. Furlaud & Company has a subsidiary corporation, known as the Terminal Bridge Corporation, whose name is painted on the door of Furlaud & Company. In its employ are two bridge engineers of international reputation and whose services are required in some capacity in practically every important bridge construction in the country. Thereupon Furlaud nominated the Terminal Bridge Company as engineers for the projects, and this was communicated to Judge O'Rear, who stated it was acceptable to the Governor. Judge O'Rear said that a paper had been drawn in which the appointment had been made and promised that it would be sent shortly. The appointment, however, was not sent as Watkins was unfavorable to Furlaud & Company, Furlaud advised J. B. O'Rear that it looked like negotiations were off. When Furlaud advised J. B. O'Rear, who was still in New York, that he had selected the Terminal Bridge Company, the latter appeared to see something sinister in the matter and immediately left the office of Furlaud & Company. A short while afterwards he returned to Furlaud & Company's office, and, in an entirely different manner, demanded a definite answer about the cement proposition. Furlaud refused to give him an answer, for the reason that no definite conclusion had been reached concerning it. Thereupon Furlaud & Company telephoned Judge O'Rear that it was waiting to receive the appointment of the corporation as bridge engineer, but Judge O'Rear stated that he did not care to mail it, but would send it by messenger. The next morning,

J. B. O'Rear came into the office of Furlaud & Company and demanded a "Yes" or "No" answer. Furlaud stated that it was impossible and that if an answer was insisted upon it would be "No." A few days following this occurrence, Furlaud discovered that J. B. O'Rear had been to Boston trying to sell his cement proposition to some Boston bankers. Not understanding this attitude, Furlaud called Judge O'Rear, but received no satisfactory answer. A few days later, J. B. O'Rear came into the office of Furlaud & Company and stated that the latter would be held up for the present. On November 16, 1928, Furlaud received a telegram from Judge O'Rear reading as follows:

"Frankfort, Ky. 16 926 A-

L. Ross, care Furlaud & Co., 52 Wall Street, New York, N. Y.

Letter employing Terminal Bridge Corporation will probably be delivered through you today stop Governor attaches condition which he originated and insists upon which will also be explained by person having letter

Edward C. O'Rear."

A few days after the receipt of the telegram, J. B. O'Rear came back to Furlaud and pulled a letter out of his pocket. When Furlaud reached for it, O'Rear withdrew it and stated that he had some instructions to deliver first, which were that the letter was not to be delivered until the conditions had been met. He then abruptly asked about the cement proposition. Furlaud replied that it was not in a position to give an answer at that time, and thereupon J. B. O'Rear blurted out that his instructions were not to give the letter to Furlaud from the Governor appointing the Terminal Bridge Company as engineer unless Furlaud would sign a contract which he then handed Furlaud, obligating it to finance $2,500,000.00 of bonds on the cement plant and railroad. Thereupon Furlaud denounced J. B. O'Rear and ordered him out of the office. Furlaud then telephoned to

Judge O'Rear and asked an explanation of J. B. O'Rear's conduct in regard to imposing the condition about the cement plant, and Judge O'Rear replied that the condition originated with and was insisted upon by the Governor. On the same day Furlaud sent a telegram to Judge O'Rear, reading as follows:

"Nov. 19, 1928—

Hon. Edw. C. O'Rear,
Frankfort, Ky.

Regret to advise that JB's action is not only hurting his own proposition but also crucifying the entire project stop If it wasn't for my very high esteem for you I would already have washed my hands of the entire project stop After again steering it back under proper control it is unfortunate to have it upset by this absurd silly move stop His unbusinesslike move sure brought more harm than all the moves made by the commission L. Ross."

To that telegram, Judge O'Rear replied as follows:

"1928 Nov 19 PM 4 46

Frankfort, Ky. 19 336 P
L. Ross—Care Furlaud & Co.
Fifty-Two Wall Street, New York, N. Y.

What you call JB's action is not his but the Governor's if you are going to drop this matter do it now and advise me promptly please Edward S. O'Rear."

Furlaud & Company was unwilling to believe that the Governor of the State was party to any such fraudulent scheme, and decided to communicate with the Governor, but before doing so desired to ascertain from Judge O'Rear what gave rise to his sudden demand. Judge O'Rear replied that it was because J. B. O'Rear had seen the name of the Terminal Bridge Corporation on the door of Furlaud & Company and from that concluded that there was something sinister in

Furlaud's suggestion. Thereupon Judge O'Rear offered to come to New York for a conference, which he did. When he arrived, he insisted that the cement proposition was Governor Sampson's demand and that the Governor was interested in the cement plant. Furlaud stated that his suggestion was not only dishonest, but was absurd, as he was asking Furlaud to give them $2,500,000.00 in exchange for a deal that would not pay an underwriting profit of more than $500,000.00. Thereupon Judge O'Rear suggested that the Terminal Bridge Corporation would make a fee for acting as engineer on the bridge project and that the cement plant could be financed out of that fee. After three hours of attempted intimidation, Judge O'Rear produced the cement contract and the Governor's letter and said that the letter was dependent upon the signing of the contract. Thereupon Furlaud asked him to leave the office. Late that afternoon, however, Judge O'Rear telephoned and said that he had talked with the Governor and the Governor stated for Furlaud to sign the cement contract. Furlaud responded by hanging up the telephone receiver in his face. Thereupon Furlaud telephoned the Governor in regard to what O'Rear had stated and the Governor evaded the issue entirely. Furlaud then sent the Governor the following telegram:

"Hon. Flem D. Sampson, Governor,
Frankfort, Kentucky.

"Regret to advise due to Mr. O'Rear's demand that unless I finance two and one-half million dollar cement and railroad proposition his son and other relatives are interested in tied my hands to arrange and carry out financial plan advantageous to Kentucky. L. Ross."

Furlaud & Company received no communication from the Governor in response to the above telegram.

Thereupon Furlaud, at the request of the Governor, went to Frankfort to discuss this matter with him. The Governor

did not, at any time, deny his participation in the cement deal, from which conduct Furlaud was forced to conclude that the Governor was a party to it. Furlaud then attempted to appeal to the Governor by pointing out the danger of trying to put over such a scheme and by showing what a great thing he could accomplish for the people of Kentucky during his administration by building the bridges. The Governor agreed to consider the proposition further but diplomatically indicated that it might not be a bad idea for Furlaud to make peace with Judge O'Rear. Later that night, about 10 o'clock, Furlaud saw Governor Sampson, Judge O'Rear, Judge O'Rear's son-in-law and three representatives of a Boston and New York Engineering Company go into a conference with some of the members of the Highway Commission at the Capital Hotel. The next day, Furlaud went to see the Governor to ask an explanation of the mysterious late conference at the hotel after he had told Furlaud that his proposition was acceptable and appeared to be sound. Furlaud was unable to get an audience and after it was thought Furlaud had left the building, Furlaud saw the same group which had been at the hotel the night before, with the exception of the two commissioners, leave the private office of the Governor. Notwithstanding the foregoing, Judge O'Rear wrote Furlaud & Company under date of November 24, 1928 as follows:

November 24, 1928.

"Mr. L. Ross,
c/o Furlaud & Co.,
Fifty-Two Wall St.,
New York, New York.

"Dear Sir:

"If you submit bid for the issue of Highway Bridge bonds of Kentucky advertised for the 28th inst. and submit same in accordance with your representations to the commis-

sion and to the Governor as to terms upon which you would buy, I am satisfied you would be awarded the bonds as the best and successful bidder. Please advise whether you are going to submit the bid.

"Very truly yours,

ECO/MT" E. C. O'Rear.

To the letter Furlaud & Company replied by wire on November 26th as follows:

"November 26, 1928.

Edward C. O'Rear, Esq.,
Frankfort, Kentucky.

Am at loss to understand your letter stating to submit bid accordance representations to commission and Governor stop You are fully aware that you made it impossible for me to do so you are fully aware that because of demand you made at my office in the conference room that unless I finance two and one-half million dollars cement and railroad proposition for your son and other relatives and associates you refused to turn over and withheld letter you stated was in your possession given you by Governor for Terminal Bridge naming them engineers it became impossible for me to go ahead with the proposition stop You are also aware that even if I should like to submit bid though your action of withholding Governor's letter upset my plans I have not even the proposal form which the commission furnished you and you withheld from me stop What's the idea of your new move.

L. Ross,
Furlaud & Co., Inc.,
52 Wall St., New York City".

Upon receipt of that telegram, Judge O'Rear wrote Furlaud & Company under date of November 27th, in which he denied that he withheld any letter from the Governor, or that he ever had such a letter in his possession, but stated *"It is*

true I told you that the Governor had himself imposed a condition on the employment of bridge company as engineer. It is not true I ever coupled the cement proposition with bridge bond proposition other than to report the Governor's position to you." Thus the matter ended.

Your committee has never seen any denial or satisfactory explanation from either the Governor or Judge O'Rear in regard to the unmistakeable inference to be drawn from these several communications or from the direct charge contained in the affidavit of Furlaud & Company. The written evidence shows conclusively that Judge O'Rear stated that the Governor refused to appoint the Terminal Bridge Corporation as engineers of the bridge project unless Furlaud & Company would agree to put up $2,500,000.00 to finance the railroad and cement plant. Judge O'Rear said that Governor Sampson was interested in the cement plant. If the Governor has ever denied the statement, which was unquestionably made by Judge O'Rear, it has never been called to the attention of your committee. It is obvious to your committee that Governor Sampson has not taken exception or offense as to what Judge O'Rear stated was the Governor's participation in the cement plant proposal, as your committee knows that the Governor and Judge O'Rear have been in close association since this matter occurred.

Your committee is, therefore, forced to conclude, in the absence of any contradictory evidence on the subject, that the Governor of the Commonwealth and his personal friend and attorney sought to profit by the sale of bridge bonds to be issued by the Highway Commission, to the extent of $2,500,000.00. Such an act on the part of the Governor brings into disrepute the high office that he holds and brings into disgrace the proud name of this Commonwealth. Your committee has not hesitation in saying that such conduct renders the person guilty of it wholly unfit to appoint or influence the

members of a Highway Commission which has the handling of matters of such magnitude and importance.

Respectfully Submitted,

CHAS. G. FRANKLIN, *Chairman*
JOHN Y. BROWN, *Secretary*
F. TYLER MUNFORD
E. C. MOORE
J. R. DORMAN

Which was read by the Clerk and approved by the House, ordered filed, and spread upon the Journal by the House.

Mr. Dorman moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, MARCH 19, 1930.

The House was opened with prayer by the Reverend J. W. Manley of the Calvary Baptist Church of Richmond, Kentucky.

The roll was called and the following members answered to their names, viz:

F. B. Adcock	Dr. R. A. Byers	J. J. Davis
E. S. Allison	James A. Campbell	Winn Davis
William B. Ardery	Lee Clark	James R. Dorman
W. O. Baxter	Bradley Combs	S. J. Douthitt
S. A. Blackburn	Elmer Cook	C. B. Dowling
D. C. Bradley	Leonard Cook	Thomas Dunn
T. L. Britton	W. W. Cooper	J. W. Edwards
John Young Brown	Ben L. Cox	William A. Eimer
J. Watt Brown	H. G. Crabtree	Garland Embry
John R. Buckman	G. Cunningham	J. O. Evans

Joseph B. Everhart	Fred V. Lucas	James I. Peters
Virgil Eversole	H. R. Marquette	John H. Pickett
Kelly J. Francis	B. K. Marshall, Jr.	John W. Preston
John B. Furlong	Joseph Martin	W. E. Randall
Ralph Gilbert	James A. May	Dorsey Ratliff
F. A. Gnau	Geo. R. McIntosh	Denny P. Smith
L. B. Hamilton	T. R. McRoberts	D. O. Stanley
H. G. Handmaker	Henry Meiman	Frank L. Strange
Rev. B. L. Hargrove	Harry J. Meyers	H. L. Taylor
J. F. Harrison	Clarence Miller	Elmer J. Terry
Robt. L. Horn	Russell O. Miller	E. J. Thomas
C. E. Houk	M. F. Moore	J. A. Thompson
R. L. Jackson	B. T. Morris	Thomas H. Troxel
Grover C. Johnson	F. Tyler Munford	C. B. Truesdell
J. Roy Johnson	L. B. Murphy	Dr. Vallandingham
Theron M. Johnson	M. L. Napier	J. D. Via
J. R. Johnston	Andrew W. Nichols	J. E. Walters
M. F. Jordan	H. L. Nickell	L. M. Weathers
A. R. Kincheloe	Fred A. Nolte	G. W. Wigginton
John B. Klefot	Caleb A. Page	Robert Williams
Frank LeBus	Curtis F. Park	J. S. Milliken, Spkr.
Martin Light	J. D. Patton	

Mr. Dorman of Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that when the hour of twelve o'clock Meridian arrives today, that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

Mr. Hargrove moved that a leave of absence be granted to Mr. Dennington.

Said motion was agreed to.

Mr. Pickett moved that a leave of absence be granted to Mr. Anderson.

Said motion was agreed to.

Mr. Handmaker offered the following resolution, viz.:

Be it Resolved by the House of Representatives, that the appreciation of the members be extended to the Southern Bell Telephone and Telegraph Company and to its officers and employees for the very efficient, prompt and courteous telephone service which has been furnished the members of this body during this session of the Legislature. We wish especially to commend its employees, Mrs. Elizabeth Crumbaugh and Miss Eleanor Tharpe who have looked after our service in this body during the session.

Said resolution was adopted.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 45. Resolution for the appointment of a Commission to study the necessary permanent building program of the Commonwealth of Kentucky, in relation to its charitable and penal institutions, and to provide suitable buildings and housing for certain executive departments and judicial departments, to study the removal of the Court of Appeals and the offices of the Judges, and of the State Library, to consider the advisability of making different arrangements for the carrying on of the work of the convicts,

and appropriating money for the expenses of said Commission.

Said resolution is as follows, viz.:

WHEREAS, a necessity exists to relieve the charitable and penal institutions from their overcrowded condition, and

WHEREAS, a necessity exists for proper and suitable housing for certain executive departments of the State by reason of the fire in the old executive building, and for the relief of the overcrowded condition in the Attorney General's office, and

WHEREAS, *a necessity* exists for proper and suitable housing of the Court of Appeals, whose judges, especially during the sessions of the Legislature, have no office rooms, and

WHEREAS, by reason of a recent enactment of Congress the prison manufactured goods will be deprived of the right of interstate commerce necessitating radical changes in the use of construction of the reformatory buildings, and

WHEREAS, the Court of Appeals and judges thereof should be removed from the political environment of the legislative and executive branches, and

WHEREAS, under the present system of permitting revenue to be spent by these several departments independently, which lacks coordination and system, and

WHEREAS, many of the present locations upon which the foregoing mentioned activities are situated have, by reason of the changes existing through many years, become unsuitable for their enlargement; Now. therefore,

Be it resolved by the House of Representatives of the Commonwealth of Kentucky:

That a Commission be and is hereby appointed to consist of six members, two to be appointed by the Governor, two to be appointed by the Lieutenant Governor and two to

be appointed by the Speaker of the House of Representatives, and report with recommendations to the next General Assembly. The said Commission will suggest the plan for a convenient, economical and convenient extension of the State's housing program for the future.

It is the purpose of this resolution to ascertain, through the medium hereby provided, the most suitable method to place the unfortunates of the State where they can receive more humane care at the least expense to the taxpayers of the State through a location of the institutions provided for them in the places most suitable to their misfortune and consisent with the most modern and economical administration.

It is the purpose of this resolution to further ascertain by reason of the changes about to take place in the amount and character of prison labor, whereunder said condition the prisoners of the State may be best employed so as to produce the greatest income to the State consistent with the safe and proper control and consistent with their own rehabilitation.

It is the further purpose of this resolution to provide for the increased necessities of the executive departments made necessary by the vast road program upon which the State is embarking, and the proper and suitable housing of its executive officers to meet their respective duties.

It is the further purpose of this resolution that, consistent with the modern thought upon the subject, they may report the advisability of moving the Court of Appeals to that beautiful and historical old capitol, where the library may be placed and where they may be seperate from the other departments of the State government and be situated in an environment more suitable to the judiciary.

It is the further purpose of this resolution that the Commission examine the advisability of removing the State's penal and charitable institutions to locations where cheaper lands can be used for farms, quarries and other suitable locations and occupations made necessary by reason of the changed conditions now existing.

To carry out the purposes of this resolution the Commission so appointed is authorized to employ such experts as they may deem necessary and proper to assist them in their labors. Said Commission will serve without pay.

Twenty-five thousand dollars ($25,000) is hereby appropriated for the use of said Commission in the performance of the labors herein provided. The chairman of the Commission is directed to issue orders upon said fund for the payment of the expenses.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William J. Curtis	R. L. Jackson
U. G. Anderson	J. J. Davis	Grover C. Johnson
William B. Ardery	Winn Davis	Theron M. Johnson
W. O. Baxter	James R. Dorman	J. R. Johnston
S. A. Blackburn	S. J. Douthitt	M. F. Jordan
D. C. Bradley	C. B. Dowling	A. R. Kincheloe
John Young Brown	Thomas Dunn	John B. Klefot
J. Watt Brown	William A. Eimer	Frank LeBus
John R. Buckman	J. O. Evans	Martin Light
Dr. R. A. Byers	Joseph B. Everhart	Fred V. Lucas
James A. Campbell	Kelly J. Francis	H. R. Marquette
Lee Clark	John B. Furlong	Joseph Martin
Bradley Combs	Ralph Gilbert	James A. May
W. W. Cooper	F. A. Gnau	Geo. R. McIntosh
Ben L. Cox	L. B. Hamilton	T. R. McRoberts
H. G. Crabtree	H. G. Handmaker	Henry Meiman
G. Cunningham	Rev. B. L. Hargrove	Harry J. Meyers

Clarence Miller	Curtis F. Park	Elmer J. Terry
M. F. Moore	James I. Peters	E. J. Thomas
B. T. Morris	John H. Pickett	Thomas H. Troxel
F. Tyler Munford	John W. Preston	H. Speed Tye
H. L. Nickell	Dorsey Ratliff	Dr. Vallandingham
Fred A. Nolte	D. O. Stanley	L. M. Weathers
Caleb A. Page	Frank L. Strange	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 337. An Act relating to the office of Assistant Secretary of State.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The Assistant Secretary of State shall receive an annual salary of twenty-four hundred ($2,400.00) dollars, to be paid monthly as the salaries of other State officers are paid, and he shall be subject to removal from office at the pleasure of the Secretary of State, with the approval of the Governor.

All acts and parts of acts in conflict herewith, to the extent of such conflict, are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. O. Evans	Clarence Miller
E. S. Allison	Joseph B. Everhart	M. F. Moore
William B. Ardery	Kelly J. Francis	B. T. Morris
W. O. Baxter	John B. Furlong	Tyler F. Munford
S. A. Blackburn	Ralph Gilbert	M. L. Napier
D. C. Bradley	F. A. Gnau	H. L. Nickell
John Young Brown	H. G. Handmaker	Fred A. Nolte
J. Watt Brown	Rev. B. L. Hargrove	Caleb A. Page
John R. Buckman	Robt. L. Horn	J. D. Patton
James A. Campbell	C. E. Houk	James I. Peters
Lee Clark	R. L. Jackson	John H. Pickett
Bradley Combs	Grover C. Johnson	John W. Preston
Elmer Cook	J. Roy Johnson	Dorsey Ratliff
W. W. Cooper	Theron M. Johnson	Denny P. Smith
Ben L. Cox	M. F. Jordan	D. O. Stanley
H. G. Crabtree	A. R. Kincheloe	Frank L. Strange
William J. Curtis	John B. Klefot	Elmer J. Terry
J. J. Davis	Frank LeBus	E. J. Thomas
James R. Dorman	Fred V. Lucas	Thomas H. Troxel
S. J. Douthitt	H. R. Marquette	C. B. Truesdell
C. B. Dowling	B. K. Marshall, Jr.	H. Speed Tye
W. C. Dugan	James A. May	J. E. Walters
Thomas Dunn	Geo. R. McIntosh	L. M. Weathers
J. W. Edwards	T. R. McRoberts	G. W. Wigginton
William A. Eimer	Henry Meiman	
Garland Embry	Harry J. Meyers	—76

Those who voted in the negative were—

J. F. Harrison	J. A. Thompson	—2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 80. An Act providing for the purchase of property by cities of the second class to be used as public parks and providing means for the payment thereof.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whenever the General Council or Board of Commissioners of any city of the second class shall deem it proper and expedient to purchase property within said city, or within two miles from the city limits thereof, to be used as a public park, the said Council or Board of Commissioners may, by ordinance, authorize the purchase by such city of property within such city, or within two miles from the city limits thereof, to be used as a public park.

§ 2. If any land is purchased for park property, the said city so purchasing it may pay for the same out of the current revenues of the city if any such funds are available, and if any such funds are not available, for the purpose of raising money for the purchase or improvement of land for park property, the General Council or Board of Commissioners of the city may, by ordinance, authorize the issuance by the city of bonds, with interest coupons attached, to the amount and of the character set forth in such ordinances

authorizing the issuance of said bonds. Said bonds, when so issued, shall be sold by the city in the same manner as provided for the sale of other bonds issued by the city.

§ 3. All laws, or parts of laws, in conflict herewith are hereby repealed.

Said Amendment as offered by the Committee is as follows, viz.:

Amend S. B. 80 by striking therefrom all of that part of Section 1 on page 1 thereof, beginning with the word "authorize" in line 5 of Section 1, and ending with the word "park" on line 7, of Section 1 and by further striking from said bill all of Section 2 thereof and inserting in lieu thereof the following words and figures, to-wit:

"Submit to the qualified voters of the city at the next regular election the question whether bonds of the city shall be issued for the purpose or purposes aforesaid. The bonds so issued shall be issued as Park Improvement Bonds and the ordinance shall fix the time the bonds shall run and if a serial issue, then the amount to mature at each time, and the rate of interest which shall be permitted on said bonds and the total amount of bonds to be issued, and provide for a levy of taxes to pay the interest and to redeem the bonds as they mature or provide for the accumulation of a sinking fund at their maturity.

No submission of the question of issuing bonds hereunder shall be had prior to the regular election in November 1931, and the total outstanding issue of bonds for park purposes including bonds issued shall never exceed three (3) per centum of the value of taxable property of the city to be estimated by the assessment next before the last assessment previous to the incurring of the indebtedness. The question to be submitted shall be so framed that the voter may by his vote answer for or against. If the voters of the city shall determine by a two-thirds majority of those voting that such

bonds shall be issued they shall, when so issued be placed under the control of the council or Board of Commissioners who shall determine when and at what price and how they shall be sold and the date, number of bonds, denominations, whether coupon or registered, the rate of interest and frequency of payment thereof, place of payment of principal and interest and any other details it desires, embodied in the bonds or in the ordinanee providing for their issue. And the council or Board of Commissioners shall at once adopt an ordinance in conformity therewith and cause the bonds to at once be properly prepared for sale and delivery; provided that no such bonds shall be sold for less than par; and provided further that any premium that shall be obtained from such bonds shall constitute a part of the sinking fund for their ultimate retirement.

As bonds are sold their proceeds shall be placed to the credit of the Park fund in the same depository which is selected by the general council or Board of Commissioners for its other funds, but shall be kept in a separate account and shall be used only for the purposes for which the bonds were issued.

It shall be the duty of the council or Board of Commissioners in addition to the levy made for the maintenance of parks as hereinbefore provided, to levy annually in its tax levy a rate that will raise a sum that shall be sufficient to pay the interest and create a sinking fund for the payment of the bonds at maturity. The said bonds, principal and interest, shall be charges of a sinking fund of said city and it shall be entitled to a sinking fund levied as aforesaid.

Said Amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Garland Embry	T. R. McRoberts
E. S. Allison	J. O. Evans	Clarence Miller
William B. Ardery	Joseph B. Everhart	M. F. Moore
W. O. Baxter	Kelly J. Francis	H. L. Nickell
D. C. Bradley	John B. Furlong	Fred A. Nolte
John Young Brown	Ralph Gilbert	Caleb A. Page
J. Watt Brown	F. A. Gnau	Curtis F. Park
John R. Buckman	H. G. Handmaker	James I. Peters
James A. Campbell	Robt. L. Horn	John H. Pickett
Bradley Combs	C. E. Houk	John W. Preston
Elmer Cook	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	D. O. Stanley
Ben L. Cox	J. Roy Johnson	E. J. Thomas
William J. Curtis	Theron M. Johnson	Thomas H. Troxel
J. J. Davis	M. F. Jordan	C. B. Truesdell
James R. Dorman	A. R. Kincheloe	H. Speed Tye
S. J. Douthitt	Frank LeBus	J. E. Walters
C. B. Dowling	Martin Light	G. W. Wigginton
Thomas Dunn	Fred V. Lucas	Robert Williams
J. W. Edwards	H. R. Marquette	
William A. Eimer	Geo. R. McIntosh	—61

There voted in the negative—

L. M. Weathers —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

a message was received from the Senate announcing that they had passed bills and resolutions which originated in this House, entitled:

H. Res. 25. A Resolution authorizing John Allison to sue the Commonwealth of Kentucky.

H. Res. 36. Joint resolution authorizing suit against the Commonwealth of Kentucky in behalf of persons and firms named therein who had furnished labor, material supplies, etc.

H. B. 22. An Act to repeal and re-enact Section 1055 of the Kentucky Statutes, relating to the Jefferson Quarterly Court.

H. B. 119. An Act to amend Sec. 1722 of the Kentucky Statutes, Carroll's Edition of 1922, increasing and fixing the salary of deputy jailers in counties containing a population of two hundred thousand inhabitants or more.

H. B. 325. An Act to repeal and re-enact Section 1059, Kentucky Statutes, relating to the Appointment of a County Judge Pro Tem.

H. B. 392. An Act to provide for the regulation of employment Agencies, defining the terms "Employment Agencies," "Hire," etc.

H. B. 457. An Act entitled an Act to amend Sec. 956, Carroll's Kentucky Statutes, 6th Edition, 1922, as amended March 29th, 1924, Chapter 30, Page 45, Acts of said year.

H. B. 502. An Act to amend Article II relating to municipal corporations of the second class, Sec. 3235a-1 of Carroll's Statutes, 1930 Edition.

H. B. 512. An Act making it unlawful for any person, firm or corporation to erect a filling station in any city of the first, second and third class, fourth and fifth class in any block in which the majority of the property is held and occupied as residence property without first obtaining the written consent of the owners of two-thirds of such property and describing the penalty for violation.

H. B. 528. An Act to appropriate $4,000.00 annually to the State Board of Agriculture for the purpose of meeting premiums expense of said Board in promoting livestock.

H. B. 546. An Act fixing the salary of the Commissioners of Water Works in such cities of second class as now own a water works system at not exceeding twelve hundred dollars, nor less than three hundred dollars per annum.

H. B. 578. An Act to extend and prescribe the rights of any railroad corporation, company, board of trustees, or other body, that have built and now own a railroad in the State, under a franchise or grant limited as to time.

H. B. 586. An Act authorizing and empowering the Commonwealth of Kentucky by and through the State Highway Commission and by and through any successor to such Commission, to acquire, by contract or by condemnation, any ferry across any stream in this State and across any stream on the boundary of this State.

H. B. 604. To provide for the appointment of district detective to the commonwealth attorney in cities of the second class.

H. B. 638. An Act to repeal, amend, and re-enact Section 2554a-16, Kentucky Statutes Service, 1928 Edition, relating to fees of arresting officers in liquor prosecutions.

H. B. 721. An Act to repeal, amend and re-enact Sec. 2580a-1 Kentucky Statutes, relating to the jurisdiction of lands ceded to the United States for National Park purposes.

H. B. 605. An Act giving the city council of towns of the fifth class the right to exempt from taxation for five years manufacturing establishments.

H. B. 188. An Act to repeal and re-enact Chapter 1 of the Acts of the General Assembly of the Commonwealth of Kentucky at its session of 1928 relating to the maintenance of public ditches, etc.

H. B. 561. An Act authorizing the Wayne County Board of Education to pay Ray Taylor the sum of $402.50 for services rendered by said Taylor to said Board of Education.

H. B. 535. An Act to amend and re-enact Sec. 3096 of the Kentucky Statutes, relating to the improvement of streets, public ways, etc.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Calendar, bills and resolutions of the following titles, viz.:

S. B. 440. An Act increasing and fixing the salaries of first assistant Commonwealth's attorney.

S. B. 401. An Act to require all drivers of motor vehicles transporting school children to stop each and every such motor vehicle before crossing over any grade crossing.

S. B. 109. An Act making it the duty of the State In-

spector and Examiner to inspect and examine the office of the sheriff, etc.

S. B. 416. An Act to amend Sec. 4379 of Art. 3 of Baldwin's Kentucky Statutes, 1922 Edition.

S. B. 435. An Act relating to primary system of roads and highways.

S. B. 445. An Act to amend and re-enact Sec. 612a Kentucky Statutes, relating to combined banks and trust companies.

S. B. 431. An Act relating to county patrolmen.

S. B. 327. An Act to amend and re-enact Sec. 2739j-22 2739j-27 and 2739j-32 of Kentucky Statutes, etc.

S. B. 336. An Act empowering the Insurance Commission of the State of Kentucky to suspend or revoke for a cause the license of an agent of a life insurance company.

S. B. 56. An Act to require all owners and lessees of all ferries operated on any stream in the Commonwealth where roads and public highways are included in the State Primary System.

S. B. 111. An Act regulating the planting of trees, shrubs or other growths within the State highways.

S. B. 404. An Act relating to motor vehicles, providing for the repeal, amendment and re-enactment of Subsec. (b) of Sec. 2739g-2.

S. B. 400. An Act appropriating $74,505.45 for the purpose of providing for payment of deficit in budget of Custodian of Public Buildings, etc.

S. Res. 28. Resolution to permit N. B. Sutton and A. S. Turner to sue the Commonwealth of Kentucky.

S. B. 293. An Act to amend and re-enact Sec. 301, Kentucky Statutes, Carroll's 1922 Edition, relating to the powers and duties of the Boards of visitors of the Kentucky School for the Blind.

S. B. 229. An Act to amend Subsec. 9 of Sec. 3704 of Kentucky Statutes, Carroll's Edition supplement 1922, and 1924 relating to cemeteries owned by cities of the sixth class.

S. B. 228. An Act to amend and re-enact Sec. 331e-1 of Kentucky Statutes, Baldwin's 1928 Supplement being a part of Article V relating to dependent, neglected and delinquent children, etc.

S. Res. 40. Resolution authorizing Muir and Welch of Nicholasville, Ky., to sue the State of Kentucky and the State Highway Commission.

Ordered that said bills and resolutions be read the second time.

The Constitutional provision as to the second reading of said bills and resolutions at length being dispensed with, said bills and resolutions were read the second time by their title only.

Ordered that said bills and resolutions be placed in the Orders of the Day.

A message was received from the Senate, announcing that they had passed the following resolution, viz.:

S. Res. 43. A Joint Resolution of the General Assembly of the Commonwealth of Kentucky memorializing the Pres-

ident of the United States to appoint the Honorable Simeon S. Willis to the Supreme Court of the United States to fill the vacancy left by the death of Mr. Justice Sanford.

Whereas, the Honorable Simeon S. Willis, of the Court of Appeals of Kentucky, has distinguished himself by the clear vision, the ripe learning and the high purpose he has brought to his labors at the bar and on the bench.

And, Whereas, it is deemed fitting that the successor of the late Mr. Justice Sanford should come from the South.

Be It Therefore Resolved by the General Assembly of the Commonwealth of Kentucky:

That the President of the United States be memorialized to appoint Judge Willis to the Supreme Court.

Be It Further Resolved, that the Chief Clerk of the Senate forward a copy of this resolution to the President of the United States.

Said resolution was concurred in.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 444. An Act relating to the adoption of textbooks in this Commonwealth and providing that not more than 33 1/3% of the basal textbooks heretofore adopted and in use in any adoption unit shall be changed within a period of five years.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That not more than 33 1/3% of the basal textbooks heretofore adopted as provided by law and being used in any school district shall be changed at any one adoption period of five years.

§ 2. All laws or parts of laws in conflict with this act are hereby repealed.

§ 3. Owing to the pressing necessity for the adoption of textbooks for the schools in this Commonwealth and the delay that has heretofore taken place, an emergency is now declared to exist and this act shall be and become effective immediately upon its passage and approval by the Governor.

Mr. Meyers offered the following amendment to said bill, viz.:

Amend S. B. 444 by adding the following section A1:

"At the expiration of any contract the company getting the new business shall take up the dealer's shelf stock of displaced books provided they are in saleable condition in exchange one dollar for one dollar for the newly adopted books."

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	D. C. Bradley	John R. Buckman
U. G. Anderson	T. L. Britton	Dr. R. A. Byers
W. O. Baxter	John Young Brown	James A. Campbell
S. A. Blackburn	J. Watt Brown	Lee Clark

Bradley Combs	R. L. Jackson	H. L. Nickell
W. W. Cooper	Grover C. Johnson	Fred A. Nolte
Ben L. Cox	J. Roy Johnson	Caleb A. Page
H. G. Crabtree	Theron M. Johnson	Curtis F. Park
G. Cunningham	J. R. Johnston	J. D. Patton
J. J. Davis	M. F. Jordan	James I. Peters
Winn Davis	A. R. Kincheloe	John H. Pickett
James R. Dorman	John B. Klefot	John W. Preston
S. J. Douthitt	Frank LeBus	W. E. Randall
C. B. Dowling	Martin Light	Denny P. Smith
W. C. Dugan	Fred V. Lucas	D. O. Stanley
Thomas Dunn	B. K. Marshall, Jr.	Frank L. Strange
J. W. Edwards	Joseph Martin	Elmer J. Terry
William A. Eimer	James A. May	J. A. Thompson
J. O. Evans	T. R. McRoberts	Thomas H. Troxel
Joseph B. Everhart	Henry Meiman	C. B. Truesdell
Kelly J. Francis	Harry J. Meyers	H. Speed Tye
John B. Furlong	Clarence Miller	Dr. Vallandingham
Ralph Gilbert	Russell O. Miller	J. E. Walters
L. B. Hamilton	M. F. Moore	L. M. Weathers
H. G. Handmaker	B. T. Morris	G. W. Wigginton
Rev. B. L. Hargrove	F. Tyler Munford	Robert Williams
Robt. L. Horn	M. L. Napier	
C. E. Houk	Andrew W. Nichols	—82

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 367. An Act amending Section 2739j-30, Kentucky Statutes, Baldwin's 1926 Kentucky Statute Service, supple-

menting Carroll's 1922 Edition of the Kentucky Statutes, being section 30 of Chapter 112 of the Acts of the General Assembly of 1926.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2739j-30, Kentucky Statutes, Baldwin's 1926 Kentucky Statute Service, supplementing Carroll's 1922 Edition of the Kentucky Statutes, being Section 30 of Chapter 112 of the Acts of the General Assembly of 1926, be and the same is hereby amended and re-enacted so that said section as amended and re-enacted shall read as follows: After the payment of all expenses incident to the enforcement of this act all funds collected under the provision of this act shall be credited to a fund designated for the repair and maintenance of roads in this state. If any person or motor transportation company refuses or fails to pay the fees assessed thereunder to them within thirty days from the date when same is due and payable, the commissioner shall add a penalty of twenty per cent, and certify a list of such delinquent companies to the Attorney General, and he shall enforce payment of same. Provided, however, that all expenses incident to the enforcement of this act, and including the salary of the Commissioner and each of his assistants and employees, shall not, in any fiscal year, as herein provided, exceed twenty-five (25%) per cent. of all funds and moneys collected under the provisions of Chapter 112 of the Acts of the General Assembly of 1926, and acts amendatory thereof. The fiscal year of the Department of Motor Transportation (Commissioner and his assistants and employees) shall be from April 1, 1930, to March 31, 1931, and from April 1st to the following March 31st, thereafter.

Provided, however, that out of said twenty-five (25%) per cent. of the funds and moneys which may be collected dur-

ing the fiscal year first hereinabove provided, the Commissioner may pay, through the Auditor of Public Accounts and State Treasurer, any deficit in the operatnig expenses, including the salary of the Commissioner and each of his assistants and employees, incurred or which may become due for the period between March 1, 1930, and April 1, 1930, not exceeding, however, twenty-five hundred dollars ($2,500.00). Provided further that the Department of Motor Transportation shall not receive any appropriation of money for salaries or operating expenses from any annual or biennial appropriation act or acts, but such salaries and all expenses shall be paid exclusively from the fees and moneys collected under the provisions of Chapter 112 of the Acts of the General Assembly of 1926, and acts amendatory thereof.

All acts and parts of acts in conflict herewith to the extent of such conflict are hereby repealed.

Whereas, the Department of Motor Transportation does not now have sufficient funds appropriated and available to continue its operation or to pay the salaries of the Commissioner and his assistants and employees and other necessary expenses, and

Whereas, it is necessary that the work of said Department be continued, without interruption, an emergency is hereby declared to exist, and this act shall take effect upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	James A. May
E. S. Allison	William A. Eimer	Geo. R. McIntosh
U. G. Anderson	Garland Embry	Henry Meiman
W. O. Baxter	J. O. Evans	Clarence Miller
S. A. Blackburn	Joseph B. Everhart	M. F. Moore
T. L. Britton	Virgil Eversole	B. T. Morris
John Young Brown	Kelly J. Francis	F. Tyler Munford
J. Watt Brown	John B. Furlong	H. L. Nickell
John R. Buckman	L. B. Hamilton	Caleb A. Page
Lee Clark	H. G. Handmaker	Curtis F. Park
Bradley Combs	Robt. L. Horn	J. D. Patton
Elmer Cook	C. E. Houk	John H. Pickett
W. W. Cooper	R. L. Jackson	John W. Preston
Ben L. Cox	Grover C. Johnson	W. E. Randall
H. G. Crabtree	J. Roy Johnson	Denny P. Smith
G. Cunningham	Theron M. Johnson	Frank L. Strange
William J. Curtis	A. R. Kincheloe	E. J. Thomas
J. J. Davis	John B. Klefot	C. B. Truesdell
Winn Davis	Frank LeBus	J. E. Walters
James R. Dorman	Martin Light	L. M. Weathers
S. J. Douthitt	Fred V. Lucas	G. W. Wigginton
C. B. Dowling	H. R. Marquette	Robert Williams
W. C. Dugan	B. K. Marshall, Jr.	
Thomas Dunn	Joseph Martin	—70

Those who voted in the negative were—

D. C. Bradley	Rev. B. L. Hargrove	Andrew W. Nichols
Ralph Gilbert	J. F. Harrison	D. O. Stanley
F. A. Gnau	M. F. Jordan	—8

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 384. An Act to amend Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, as amended by Chapter 38 of the General Assembly of 1928 and changing the time of holding Circuit Court in the thirty-first Judicial District composed of the counties of Floyd and Knott, and fixing the time therefor, said Act being found on page 44 of the Acts of 1924 and said amendment being found on page 170 of the Acts of 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 29 of the Acts of the General Assembly of the Commonwealth of Kentucky which became a law on March 31, 1924, and an Act amendatory thereto which became a law January 31, 1928, be and the same is hereby amended with reference to the Thirty-first Judicial District of Kentucky and as amended reads as follows:

That a Circuit Court shall be held in Floyd County, Kentucky, as follows: At Prestonsburg beginning on first Monday in January, and continuing forty-two juridical days; beginning on first Monday in April and continuing twenty-four juridical days; beginning on first Monday in May and continuing twenty-four juridical days; beginning on first Monday in June and continuing twenty-four juridical days; beginning on first Monday in September and continuing twenty-four juridical days; beginning on first Monday in November and continuing twenty-four juridical days.

That a Circuit Court shall be held in Knott County, Kentucky, as follows: At Hindman, beginning on first Monday in March and continuing twenty-four juridical days; beginning on second Monday in July and continuing twenty-four

juridical days; beginning first Monday in October and continuing twenty-four juridical days.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the thrid reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—.

F. B. Adcock	Garland Embry	M. F. Moore
E. S. Allison	J. O. Evans	B. T. Morris
U. G. Anderson	Joseph B. Everhart	M. L. Napier
William B. Ardery	Kelly J. Francis	Andrew W. Nichols
W. O. Baxter	John B. Furlong	H. L. Nickell
S. A. Blackburn	Ralph Gilbert	Fred A. Nolte
D. C. Bradley	F. A. Gnau	J. D. Patton
T. L. Britton	L. B. Hamilton	James 1. Peters
John Young Brown	Rev. B. L. Hargrove	John H. Pickett
J. Watt Brown	Robt. L. Horn	John W. Preston
John R. Buckman	C. E. Houk	W. E. Randall
James A. Campbell	R. L. Jackson	Dorsey Ratliff
Lee Clark	Grover C. Johnson	Denny P. Smith
Bradley Combs	Theron M. Johnson	D. O. Stanley
Ben L. Cox	M. F. Jordan	Frank L. Strange
G. Cunningham	A. R. Kincheloe	Elmer J. Terry
S. J. Douthitt	Frank LeBus	Thomas H. Troxel
C. B. Dowling	Martin Light	L. M. Weathers
W. C. Dugan	Fred V. Lucas	G. W. Wigginton
Thomas Dunn	James A. May	Robert Williams
J. W. Edwards	Clarence Miller	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of twelve o'clock Meridian having arrived, the House recessed until one-thirty o'clock p. m.

AFTERNOON SESSION.

The hour of one-thirty o'clock p. m. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Governor announcing that he returns to this House where it originated, without his signature and approval, a bill entitled:

H. B. 636. An Act amending, repealing and re-enacting Section 2003 Kentucky Statutes, Carroll's 1922 Edition, being an Act dividing the State of Kentucky into one hundred Representative districts, etc.

Together with his objections and veto to said bill and his reasons therefor.

(For bill see House Journal of February 28.)

The objections of the Governor and his reasons therefor are as follows:

VETO MESSAGE

House Bill No. 636.

In a representative government as is ours, the districts from which our senators and representatives are chosen must

be approximately equal in population and as nearly so in area as may be, if our representation is to be equal and the government truly representative. Our fundamental law provides that the representative districts shall be as nearly equal in population as reasonably obtainable (Constitution Sec. 33).

Our present law passed in 1918 does not properly apportion the districts and the population of some representative districts is several times as large as the population of other districts. This works a great injustice to those who are in districts having the greater population. The citizens in the district of a small population has several times as much voting strength in our law-making body as the citizen in the large district with a large population in the same law-making body.

It takes three to five persons in a district of large population to have the voting power of one person in a district of small population. The iniquity of allowing 10,000 persons in one section of the State to have a member in the House of Representatives, while requiring 50,000 citizens in another section of the State to accept one representative, is too obvious to need argument or illustration.

But that condition has existed in our State for years, and the General Assembly still stubbornly refuses to give the relief which the Constitution guarantees. The thunderous voice of more than a million Kentuckians, speaking in unison, protesting against this denial of equity, of equal representation, this outrage, will surely be heard either now in the halls of the Legislature or later through the all powerful ballot box where it will be harkened to and obeyed. This the constitution attempted to protect against by section 33 by which it is the duty of the General Assembly to so arrange the legislaitve districts as to make them as nearly equal in population as may be.

A great injustice has been done the people of Eastern, Southeastern and other sections of Kentucky because of the inequality of legislative districts in population. To illustrate

I will call your attention to the difference in population between the 9th legislative district which is composed of Trigg County, with an estimated population of a little more than 10,000, and the 97th legislative district composed of the Counties of Letcher and Perry with a population of approximately 48,000—more than four to one; also to the 32nd district composed of Meade county with a population of a little more than 8,000 as compared with the 92nd district composed of the county of Pike with a population of more than 43,000 which is more than five to one; and to the 27th district composed of the county of Simpson with a population of a little more than 10,000 as against the 98th district composed of the counties of Leslie and Harlan with a population of more than 52,000—more than five to one. These illustrations could be multiplied over and over.

Such an arrangement of districts denies to a large part of the population of the State fair representation in our law-making body which is taxation without representation. Neither the spirit nor the letter of our Constitution has been followed in laying out the country districts of the State; but, bad as is the arrangement of the county districts, they are no worse if as bad as the proposed redistricting of the county of Jefferson.

Jefferson county has a population of about 405,000 and would, upon a fair basis, be entitled to 12 representatives instead of eight (8), the entire population of the State considered and estimated at three million souls.

This bill lays off the eight districts so as to make three of them Republican and five of them Democratic—the effort seems to have been to put all of the Republicans, or at least a large majority of them, in three legislative districts and to divide the balance of the county into five districts in each of which there would be a majority of Democrats. To perform this unusual feat, it was necessary to twist and turn the boundary lines in many different directions, cutting out a few Republicans here and adding on a few Democrats there in

order to make a district to suit the partisan needs of those who expect to run for office, and, in consequence the outline of the districts as shown on the map attached, resembles picture puzzles, Chinese writing, or Egyptian hieroglyphics. Some districts are laid off so as to reach around other districts. Indeed, it appears that if the persons who designed the districts had intended to arrange and shape them so as to violate every provision of the Constitution concerning the creation of legislative districts it could not have been more perfectly done had they devoted a whole lifetime to the task than was done by this bill. It is an outrage upon the people of the City of Louisville which should not and must not be borne.

I take pleasure in disapproving House Bill No. 636, and in attaching this veto message.

FLEM D. SAMPSON, *Governor*
Commonwealth of Kentucky.

This March 18, 1930.

Mr. Dorman of the Rules Committee moved that the House do now reconsider said bill.

Thereupon the House proceeded, as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
William B. Ardery	C. B. Dowling	Martin Light
W. O. Baxter	Thomas Dunn	James A. May
S. A. Blackburn	J. W. Edwards	T. R. McRoberts
D. C. Bradley	William A. Eimer	M. F. Moore
John Young Brown	J. O. Evans	B. T. Morris
J. Watt Brown	Kelly J. Francis	F. Tyler Munford
John R. Buckman	John B. Furlong	M. L. Napier
James A. Campbell	Ralph Gilbert	Andrew W. Nichols
Lee Clark	F. A. Gnau	H. L. Nickell
Elmer Cook	L. B. Hamilton	Denny P. Smith
Leonard Cook	Rev. B. L. Hargrove	D. O. Stanley
W. W. Cooper	C. E. Houk	Frank L. Strange
Ben L. Cox	R. L. Jackson	Elmer J. Terry
H. G. Crabtree	Grover C. Johnson	J. A. Thompson
G. Cunningham	Theron M. Johnson	Dr. Vallandingham
William J. Curtis	J. R. Johnston	J. E. Walters
Winn Davis	M. F. Jordan	L. M. Weathers
James R. Dorman	John B. Klefot	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	B. K. Marshall, Jr.	John H. Pickett
Bradley Combs	Joseph Martin	John W. Preston
Garland Embry	Geo. R. McIntosh	W. E. Randall
Joseph B. Everhart	Clarence Miller	Dorsey Ratliff
H. G. Handmaker	Russell O. Miller	C. B. Truesdell
J. Roy Johnson	Fred A. Nolte	Robert Williams
A. R. Kincheloe	Curtis F. Park	
Fred V. Lucas	J. D. Patton	

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Mr. Dorman of Rules Committee moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Governor announcing that he returns to this House where it originated, without his signature and approval, a bill entitled:

H. B. 388. An Act to amend and re-enact Section 3758 Kentucky Statutes, Carroll's 1922 Edition.

Together with his objections and veto to said bill and his reasons therefor.

(For bill see House Journal of February 28.)

The objections of the Governor and his reasons therefor to H. B. 388 are as follows:

Vetoed—March 17, 1930.

The appointment of persons to office is an executive function—no reason appears why the Fiscal Court should name the County Judge. This Act changes or attempts to change a rule of long standing and which has worked well without suggesting a sound reason therefor.

FLEM D. SAMPSON,
Governor of Commonwealth of Kentucky.

Mr. Dorman of Rules Committee moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	T. R. McRoberts
E. S. Allison	Thomas Dunn	Henry Meiman
William B. Ardery	J. W. Edwards	M. F. Moore
S. A. Blackburn	J. O. Evans	B. T. Morris
D. C. Bradley	Kelly J. Francis	F. Tyler Munford
John Young Brown	John B. Furlong	M. L. Napier
J. Watt Brown	Ralph Gilbert	Andrew W. Nichols
John R. Buckman	F. A. Gnau	H. L. Nickell
James A. Campbell	L. B. Hamilton	James I. Peters
Lee Clark	Rev. B. L. Hargrove	Denny P. Smith
Elmer Cook	Robt. L. Horn	D. O. Stanley
Leonard Cook	C. E. Houk	Frank L. Strange
W. W. Cooper	R. L. Jackson	Elmer J. Terry
Ben L. Cox	Grover C. Johnson	J. A. Thompson
H. G. Crabtree	J. R. Johnston	Dr. Vallandingham
G. Cunningham	M. F. Jordan	J. E. Walters
William J. Curtis	John B. Klefot	L. M. Weathers
Winn Davis	Frank LeBus	G. W. Wigginton
James R. Dorman	Martin Light	
S. J. Douthitt	James A. May	—58

Those who voted in the negative were—

U. G. Anderson	Fred V. Lucas	John H. Pickett
Dr. R. A. Byers	H. R. Marquette	John W. Preston
Bradley Combs	B. K. Marshall, Jr.	W. E. Randall
W. C. Dugan	Joseph Martin	Dorsey Ratliff
Garland Embry	Clarence Miller	E. J. Thomas
Joseph B. Everhart	Russell O. Miller	C. B. Truesdell
H. G. Handmaker	Fred A. Nolte	Robert Williams
J. Roy Johnson	Curtis F. Park	
A. R. Kincheloe	J. D. Patton	—25

Mr. Dorman of the Rules Committee moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Governor announcing that he returns to this House where it originated, without his approval and signature a bill entitled:

H. B. 31. An Act to regulate and limit the use of the words, Drug, Drugs, Drug Store, Pharmacy, Apothecary, or any combination of such words, etc.

Together with his objections and veto to said bill and his reasons therefor.

(For bill see House Journal of February 10.)

The objections of the Governor and his reasons therefor to H. B. 31 are as follows:

Vetoed—March 17, 1930.

This bill, I do not think, can serve a good purpose but it may do much harm by making it impossible for people to get drug service conveniently, then too, it helps to give a monopoly of the drug business.

FLEM D. SAMPSON,
Governor of Commonwealth of Kentucky.

Mr. Dorman of Rules Committee moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	Martin Light
William B. Ardery	William A. Eimer	James A. May
S. A. Blackburn	J. O. Evans	Henry Meiman
D. C. Bradley	Kelly J. Francis	M. F. Moore
John Young Brown	John B. Furlong	B. T. Morris
John R. Buckman	Ralph Gilbert	F. Tyler Munford
James A. Campbell	F. A. Gnau	M. L. Napier
Elmer Cook	L. B. Hamilton	Andrew W. Nichols
Leonard Cook	Rev. B. L. Hargrove	H. L. Nickell
W. W. Cooper	Robt. L. Horn	Denny P. Smith
Ben L. Cox	C. E. Houk	D. O. Stanley
H. G. Crabtree	R. L. Jackson	Frank L. Strange
G. Cunningham	Grover C. Johnson	Elmer J. Terry
Winn Davis	Theron M. Johnson	J. A. Thompson
James R. Dorman	J. R. Johnston	Dr. Vallandingham
S. J. Douthitt	M. F. Jordan	J. E. Walters
C. B. Dowling	John B. Klefot	L. M. Weathers
Thomas Dunn	Frank LeBus	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	Bradley Combs	Joseph B. Everhart
J. Watt Brown	W. C. Dugan	H. G. Handmaker
Dr. R. A. Byers	Garland Embry	Fred V. Lucas

H. R. Marquette	Russell O. Miller	John W. Preston
B. K. Marshall, Jr.	Fred A. Nolte	W. E. Randall
Joseph Martin	J. D. Patton	Dorsey Ratliff
T. R. McRoberts	John H. Pickett	Robert Williams

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Mr. Dorman of Rules Committee moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 258. An Act to establish a road from Rockhold to Tyes Ferry in Whitley County as a part of the State primary road system of the Commonwealth of Kentucky.

Said bill reads as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways in this Commonwealth the following route, to-wit:

Beginning at Rockhold on U. S. Highway No. 25, thence up the waters of Watts Creek, thence down Meadow Creek to Tyes Ferry on Cumberland River, and intersecting at this point with State Highway No. —.

§ 2. The route thus established to be known and designated as Project No. —, and to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of State highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	James A. May
William B. Ardery	William A. Eimer	Geo. R McIntosh
W. O. Baxter	Garland Embry	Henry Meiman
S. A. Blackburn	J. O. Evans	Harry J. Meyers
D. C. Bradley	Joseph B. Everhart	B. T. Morris
T. L. Britton	Virgil Eversole	Tyler F. Munford
John Young Brown	Kelly J. Francis	L. B. Murphy
J. Watt Brown	Ralph Gilbert	M. L. Napier
James A. Campbell	F. A. Gnau	Andrew W. Nichols
Bradley Combs	L. B. Hamilton	H. L. Nickell
Leonard Cook	H. G. Handmaker	Fred A. Nolte
W. W. Cooper	Rev. B. L. Hargrove	J. D. Patton
Ben L. Cox	C. E. Houk	James I. Peters
H. G. Crabtree	R. L. Jackson	John H. Pickett
William J. Curtis	Grover C. Johnson	D. O. Stanley
J. J. Davis	J. Roy Johnson	Frank L. Strange
James R. Dorman	J. R. Johnston	C. B. Truesdell
S. J. Douthitt	M. F. Jordan	H. Speed Tye
C. B. Dowling	A. R. Kincheloe	Dr. Vallandingham
W. C. Dugan	B. K. Marshall, Jr.	L. M. Weathers
Thomas Dunn	Joseph Martin	Robert Williams

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Those who voted in the negative were—

Lee Clark	Theron M. Johnson	T. R. McRoberts
Elmer Cook	Martin Light	W. E. Randall
John B. Furlong	Fred V. Lucas	J. E. Walters

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 344. An Act creating under the control of the governor by appointment the department of public welfare, under the direction of a director of public welfare, defining his powers and duties, providing for confirmation of his appointment by the General Assembly, fixing his salary, transferring the powers and duties of the State board of charities and corrections, exclusive of penal institutions, to the department of public welfare, and continuing in force all laws in relation to the State board of charities and corrections.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Department of Public Welfare—There is hereby created a department of public welfare. The director of the department shall be known as the director of public welfare, and shall be appointed by the governor, subject to confirmation by the General Assembly in joint session assembled, if in session when such appointment is made, and if not in session, then at its next succeeding session. He shall hold office for a term coincident with that of each governor making the appointment, or until his successor shall have been appointed

and qualified, and shall not be removed by the governor except for cause. For his services the director of public welfare shall be paid out of state treasury the sum of five thousand ($5,000.00) dollars per annum, together with his necessary traveling expenses in the performance of his official duties, vouchers for which expenses shall be approved by the governor. All of the powers and all of the duties imposed by law upon the state board of charities and corrections, exclusive of penal institutions, and in so far as the same affect and relate to charitable institutions within the State of Kentucky, are hereby transferred to and vested in the director of public welfare, to be exercised and performed by him. Wherever the words "State Board of Charities and Corrections," or other words denoting that board appear in any statute relating to charitable institutions heretofore indicated and not repealed, the same shall be construed to mean the director of public welfare. All existing provisions or law not inconsistent with this Act in relation to the state board of charities and corrections, and to any charitable institution within this state, maintained in whole or in part by state revenues are continued in force.

§ 2. Subordinates—The director of public welfare, may, subject to the approval of the governor, appoint such superintendents, agents, receivers, assistants, officers, employees, physicians, clerks, or experts as may be necessary for the exercise of the powers herein transferred to and conferred upon his office, and the director shall prescribe their duties and fix their compensation, including the duties and compensation, of a secretary of the department, all of which compensation shall not exceed in the aggregate the amount biennially appropriated by the General Assembly for that purpose. The director may transfer officers or employees from their positions to other positions in the department, or abolish or consolidate such positions. The director may remove from office any officer or employee in the department for neglect of duty, incompetence in the discharge of his duties, immorality, cor-

rupt practices, or for other cause affecting the performance or discharge of his duties, or to reduce the number of employees, but no such officer or employee may be removed by the director for political party purposes, or by reason of the party affiliation of any such officer or employee. The director shall have power to establish, consolidate or abolish divisions or bureaus within the department for the purpose of expediting the transaction of the various branches of the service within the department, and for the purpose of making the same more efficient and reducing the expenses of the department. Each division or bureau in the department shall be in charge of the assistant director, subject to the supervision of the director of public welfare and subject to such rules and regulations as the director from time to time may adopt and promulgate for the operation and management of the department.

§ 3. Official Bonds—When any position or office to be filled in pursuance of this Act involves a fiduciary responsibility, the appointing officer shall, unless otherwise provided by law, require the appointee to execute good and sufficient bond or other surety for the faithful performance of his duty, to be approved by the governor and deposited with the division of records in the executive department or in the office of the secretary of state. When in any case official bonds are now required by law to be executed by any officer, commissioner, agent, members of any board or commission, assistants or other employees whose office or position is, by this Act, abolished, such official bonds shall be executed by the officer or employee to whom the powers and duties of any such officer, commissioner, agent, members of any board or commission, assistant or other employee are by this Act transferred or assigned, and the same shall be approved by the governor and deposited with the division of records in the executive department or in the office of the secretary of state.

§ 4. Existing Contracts not Affected by this Act—The provisions of this Act shall not be applied to contracts entered

into and existing by the state board of charities and corrections prior to the date this Act becomes effective.

§ 5. Kentucky Children's Bureau—The Kentucky Children's Bureau and the Kentucky Crippled Children's Commission are hereby respectively abolished, provided, however, that all of the powers and all of the duties imposed by law upon said board and said commission, are hereby transferred to and vested in the director of public welfare to be exercised or performed by him. Whenever the words: "Kentucky Children's Bureau" and the words "Kentucky Crippled Children's Commission," or other words denoting that Bureau or that Commission appear in any statute heretofore enacted and not repealed, the same shall be construed to mean the director of public welfare. All existing provisions of law not inconsistent with this act in relation to the Kentucky Children's Bureau, and the Kentucky Crippled Children's Commission are continued in force.

§ 6. All laws or parts of laws, in so far as the same are inconsistent herewith, are hereby repealed. This Act shall take effect on the date of the inauguration of the governor elected at the regular election in the year one thousand nine hundred and thirty-one (1931).

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. A. Blackburn	John Young Brown
U. G. Anderson	D. C. Bradley	J. Watt Brown
W. O. Baxter	T. L. Britton	James A. Campbell

Bradley Combs	L. B. Hamilton	M. F. Moore
Elmer Cook	H. G. Handmaker	B. T. Morris
Leonard Cook	Rev. B. L. Hargrove	F. Tyler Munford
W. W. Cooper	C. E. Houk	Andrew W. Nichols
Ben L. Cox	R. L. Jackson	Fred A. Nolte
H. G. Crabtree	Grover C. Johnson	Curtis F. Park
G. Cunningham	J. Roy Johnson	J. D. Patton
William J. Curtis	Theron M. Johnson	James I. Peters
Winn Davis	M. F. Jordan	John H. Pickett
James R. Dorman	A. R. Kincheloe	John W. Preston
S. J. Douthitt	John B. Klefot	Dorsey Ratliff
Thomas Dunn	Frank LeBus	D. O. Stanley
J. W. Edwards	Martin Light	Frank L. Strange
William A. Eimer	Joseph Martin	Elmer J. Terry
Garland Embry	James A. May	Dr. Vallandingham
Joseph B. Everhart	T. R. McRoberts	J. E. Walters
John B. Furlong	Henry Meiman	G. W. Wigginton
Ralph Gilbert	Clarence Miller	Robert Williams
F. A. Gnau	Russell O. Miller	—65

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 102. An Act relating to dogs, regulating and controlling the keeping of dogs and providing for their destruction in certain cases, to promote the live stock and poultry industries and amending and re-enacting chapter one hundred and twelve (112) of the Acts of the General Assembly of the Commonwealth of Kentucky of one thousand nine hundred and

eighteen, approved March 28th, 1918, and entitled: "An Act relating to dogs, the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs; providing for listing of dogs by county assessors and penalty for his failure to so list; providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State and county officers and providing penalties and fees," as amended by Chapter one hundred and fifty-seven (157) of the Acts of 1920; (Ky. Stats., beginning with section 68b-1 and continuing to and through section 68b-37).

With Committee Amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter one hundred and twelve (112) of the Acts of the General Assembly of the Commonwealth of Kentucky of one thousand nine hundred and eighteen (1918) approved March 28, 1918, and entitled, "An Act relating to dogs, the promotion of live stock industries, and the protection of live stock and poultry from damage by dogs; providing for the licensing of dogs: regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs; providing for listing of dogs by county assessors and penalty for his failure to so list; pro-

viding for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of live stock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State and county officers and providing penalties and fees", as amended by Chapter one hundred and fifty-seven (157) of the Acts of the General Assembly of 1920, be amended and re-enacted so that the same when amended and re-enacted shall read as follows:

1. That this act shall be known and may be cited as an act to promote and protect live stock industries in Kentucky.

2. For the purpose of this act the following terms shall have the following meanings respectively designated for each:

The term "live stock" shall include horses, stallions, colts, geldings, mares, sheep, rams, lambs, bulls, bullocks, steers, heifers, cows, calves, mules, jacks, jennets, burros, goats, kids and swine.

The term "poultry" shall include all domestic fowl.

The word "person" shall include State and local officers or employees, individuals, corporations, co-partnerships, and associations. Singular words shall include the plural. Masculine words shall include the feminine and neuter.

The word "owner" when applied to the proprietorship of a dog, shall include every person having a right of property in such dog, and every person who keeps or harbors such dog or has it in his care, and every person who permits such dog to remain on or about any premises occupied by him.

3. The term "kennel" shall mean any establishment wherein or whereon dogs are kept for the purpose of breeding, sale or sporting purposes.

The term "police officer" shall mean any sheriff or his deputies or any one appointed by the sheriff in this Commonwealth, and whose duty it is to enforce this law.

4. All license taxes hereinafter provided shall be receivable and license tags procurable at and during the same time in each calendar year that state and county ad valorem

taxes may by law be due and payable therein, beginning in 1930 for license taxes for the calendar year 1931. And on or before the first day of January one thousand nine hundred and thirty-one and on or before the first day of January of each year thereafter, the owner of any dog shall apply to the sheriff or deputy sheriff, as hereinafter provided, of the county in which said owner resides, either orally or in writing, for a license for each such dog owned or kept by him. Such application shall state the breed, sex, age, color, and markings of such dog, and the name and address of the last previous owner; and shall be accompanied by a fee of one dollar. The license fee for a spayed female dog shall be the same as that for a male dog, provided that the owner presents a certificate from a licensed veterinarian stating that he has spayed said female dog. The veterinarian's certificate shall state the breed, age, color and markings of and the date on which said female dog was spayed.

5. Such license shall be issued on a form prepared and supplied by the Commissioner of Agriculture to said sheriff. Such license shall be dated and numbered, and shall bear the name of the county issuing it and a description of the dog licensed. All licenses shall be void on the first day of January of the following year. The Commissioner of Agriculture shall furnish the sheriff of each county, with each license, a metal tag. Such tag shall be affixed to a substantial collar. The collar shall be furnished by the owner, and with the tag attached shall at all times be kept on the dog for which the license is issued.

6. The Commissioner of Agriculture shall prepare and furnish to the sheriff annually, metal tags to be given by the sheriff to the owners of dogs when such owners shall pay the license fee for said dogs. Such tags shall be of metal, and shall bear the name of the county issuing it, and a serial number corresponding with the number on the license issued to said owner, as provided in the preceding section of this act. Such tags shall also have impressed thereon the calendar

year for which such tag is issued, and shall be equipped with a substantial metal fastening device. The general shape of said tag shall be changed from year to year. Said blank license and said metal tags shall be paid for by the county for which said license and tags are issued.

If any such tag is lost it shall be replaced without cost by the sheriff, upon application by the person to whom the original license was issued, and upon production of such license.

7. Any deputy sheriff within the county applying to the sheriff, and having received and receipted for necessary blanks and tags, may issue such dog license and tags in like manner as prescribed for the issuance of licenses by the sheriff, and for so doing shall receive the same fee in the same manner as is provided for the sheriff in section 15 thereof.

Within ten days after the issuance of any license by him he shall report same to the sheriff and turn over to him all receipts for licenses issued, whereupon the sheriff shall make record of, and otherwise treat, said license as though it had been issued from his office, except that he shall also note upon his record the name of the deputy sheriff issuing the license.

Every deputy sheriff shall deliver the book or books from which he has issued licenses, together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him, to the sheriff on or before the first day of January of each year.

8. Any person becoming the owner, after the first day of January of any year, of any dog which has not already been licensed, shall forthwith apply for and secure a license for such dog in the same manner as the annual license is obtained under the provisions of this act.

9. No license or license tag issued for one dog shall be transferable to another dog, except as provided in sections 11 and 12 of this act. Whenever the ownership or possession of any dog is permanently transferred from one person to

another within the same county, the license of such dog may be likewise transferred, upon notice given to the sheriff. This act does not require the procurement of a new license, or the transfer of a license already secured, when the possession of a dog is temporarily transferred for the purpose of hunting game, or for breeding, trial, or show, in this Commonwealth.

10. Whenever any dog licensed in one county is permanently removed to another county, the sheriff of the county where the license was issued shall, upon the application of the owner or keeper of such dog, certify such license to the sheriff of the county to which the dog is removed. Such sheriff shall thereupon, and upon the payment of a fee of twenty-five cents, issue a license and tag for such dog in the county to which it is removed.

This section does not apply to dogs used during the hunting season for hunting game, or temporarily for breeding, trial, or show in the Commonwealth; nor for the transportation of dogs for hunting, breeding, trial, or show purposes, the home county license holding good for such purposes throughout the Commonwealth.

11. Any person who keeps or operates a kennel may, in lieu of the license for each dog required by this act, apply to the sheriff for a kennel license, entitling him to keep or operate such kennel. Such license shall be issued by the sheriff on a form prepared and supplied by the Commissioner of Agriculture to the sheriff and shall entitle the licensee to keep any number of dogs not at any time exceeding a certain number to be specified in the license. The fee to be paid for each kennel license shall be ten ($10.00) dollars for ten dogs or less, and twenty-five ($25.00) dollars for more than ten dogs permitted to be kept under the kennel license. With each kennel license the sheriff shall issue a number of metal tags equal to the number of dogs authorized to be kept in the kennel. All such tags shall bear the name of the county issuing it, the number of the kennel license, and shall be readily distinguishable from the individual license tags for

the same year. But no kennel license shall be issued or be valid unless the person applying for same is the owner of all dogs kept in the kennel or the persons so applying are the owners in common of all dogs kept in the kennel. And any dog authorized to be kept under a kennel license and which is not actually kept in the kennel for which he is licensed shall be considered as if never licensed under this act.

12. The licensee of a kennel shall, at all times, keep one of such tags attached to a collar on each dog kept by him under a kennel license. Such tags may be transferred from one dog to another within the kennel whenever any dog is removed from the kennel. No dog bearing a kennel tag shall be permitted to stray or be taken anywhere outside the limits of the kennel.

This section does not prohibit the taking of dogs having a kennel license outside the limits of the kennel temporarily and in leash, nor does it prohibit the taking of such dogs out of the kennel temporarily for the purpose of hunting, breeding, trial or show.

13. Any person may bring or cause to be brought into the State, for a period of thirty days, one or more dogs for show, trial or breeding purposes.

14. The sheriff shall keep a record of all dog licenses, and all kennel licenses, and all permits issued during the year. Such record shall contain the name and address of the person to whom each license or permit is issued. In the case of an individual license, the record shall also state the breed, sex, age, color and markings of the dog licensed; and in the case of a kennel license it shall state the place where the business is conducted. The record shall be a public record and open to persons interested, during business hours.

Whenever the ownership or possession of any dog licensed under the provisions of this act is transferred from one person to another, except the temporary transfer of dogs for hunting purposes, or for breeding, trial, or show, as pro-

vided in section 9 of this act, such transfer shall be noted on the record of the sheriff.

15. An accurate record of all license fees collected by the sheriff, or paid over to him by any deputy sheriff shall be kept in a book furnished by the Commissioner of Agriculture as a matter of information; but all such funds shall be turned into the county funds for the payment of live stock or poultry killed or damaged by dogs except as hereinafter provided. All moneys at present in the county or that hereafter may be collected under the existing law, shall be turned into the said fund. All bills incurred under this act, or due at the time of the passage of this act, shall be paid out of the said fund. The said sheriff or deputy shall receive fifteen (15c) cents for each and every license issued by them respectively, to be paid out of said county fund and shall be retained by the sheriff or deputy as his fee for issuing said license.

16. The county tax commissioner in each county of this Commonwealth shall annually, at the time of assessing property as required by law, make diligent inquiry as to the number of dogs owned, harbored, or kept by any person, and shall list them. The county tax commissioners shall receive five (5c) cents per dog for each dog listed by him, same to be paid out of said county fund, but before the payment is made the county tax commissioner or deputy shall make an affidavit, setting forth that he has made diligent inquiry and visited each and all persons in the county to ascertain whether or not they had dogs and has listed all dogs. On his failure to make said affidavit, he is not to receive anything for his services.

The county tax commissioner shall annually, on or before the thirty-first day of December, make a complete report to the sheriff, and a duplicate report to the Commissioner of Agriculture on a blank form furnished by the sheriff, setting forth the name of every owner of any dog or dogs, whether licensed or unlicensed, the license number of each licensed

dog, how many of each sex, licensed or unlicensed, are by him owned or harbored, and if a licensed or unlicensed kennel is maintained by any person such fact shall also be stated. It shall be the duty of the county tax commissioner, at the time of taking the list, to notify the owner of such dog or dogs that he must obtain a license for same as provided for in this act; but the neglect or failure to so notify such owner shall not relieve the owner from his duty to obtain such license.

17. On and after the first day of January, one thousand nine hundred and thirty-one, it shall be unlawful for any person to own or keep any dog unless such dog is licensed by the sheriff or deputy of the county in which the dog is kept; and unless such dog at all times wears the collar and tag provided for by this act, excepting such dogs as are temporarily brought into the state for breeding, trial or show purposes.

18. It shall be the duty of the sheriff of the county or his deputy to seize and impound any dog or dogs which are found running at large and unaccompanied by its owner or keeper. It shall be the duty of the sheriff or deputy to seize and impound any dog, running at large which does not bear a proper license tag. The sheriff or deputy shall cause any dog bearing a proper license tag and so seized and impounded to be properly kept and fed, and shall cause immediate notice, either personal or by registered mail, to be given to the person from whom or from whose premises the dog was taken or in whose name the license was procured, or his agent to claim such dog, within ten days. And upon oath or affirmation before a justice of the peace or county judge, showing probable cause that any person is the owner of or is harboring any unlicensed dog or dogs, such justice or judge shall issue to the sheriff of the county or his deputies a warrant to search the premises of such person and to seize said unlicensed dog or dogs, describing such person, premises and dog or dogs as nearly as may be, and it shall be the duty of sheriff or deputy to go upon the premises of such person for the purpose of

ascertaining if such person is the owner of or is harboring any unlicensed dog or dogs, and if such officer find any unlicensed dog or dogs the officer shall seize and impound said dog or dogs, as is above provided, and he shall give notice as above provided.

19. If, after ten days from the giving of such notice, such dog has not been claimed, such officer whose duty it is to enforce this act shall dispose of such dog by sale or by destruction in some humane manner. All moneys derived from the sale of such dog, after deducting the expenses of its detention, shall be paid to the sheriff and by him placed in the county live stock funds.

For services under sections 18 and 19 of this act, the following shall obtain: Any persons reclaiming a licensed dog that has been seized and impounded under the provisions of this act, shall pay to the sheriff the sum of two ($2.00) dollars and the cost of keeping said dog, not to exceed fifteen (15c) cents per day, and for the unlicensed dog shall pay the sheriff the sum of two ($2.00) dollars and the cost of keeping said dog, not to exceed fifteen (15c) cents per day. If dogs either licensed or unlicensed that are impounded under this act are not reclaimed, then the sheriff shall receive a fee of one ($1.00) dollar for impounding and keeping the dog and one ($1.00) dollar each for the killing of such dogs, said sum to be paid out of the county live stock fund. All expenses incurred under this act or the preceding section and not otherwise provided for, shall upon approval of the fiscal court be paid by the proper county out of the county live stock fund.

20. For failure to perform any duty under the provisions of this act, any officer shall be liable to a penalty of not less than ten ($10.00) dollars nor more than one hundred ($100.00) dollars for each offense, which amount shall be deducted from any amount due such officer from the county at any settlement between such officer and the governing au-

thorities, or if it appear that nothing be due, then to be collected as any other fine, and as provided by law.

21. Any person may kill any dog which he sees in the act of pursuing, worrying or wounding any live stock or poultry, or attacking human beings, whether or not such dog bears the license tag required by the provisions of this act, and he may kill any dog that is mad or afflicted with hydrophobia. There shall be no liability on such person in damages or otherwise for such killings.

Any dog that enters any field unaccompanied by its owner shall constitute a private nuisance, and the owner or tenant of such field, or their agent or servant, may kill such dog while it is in the field, without liability or responsibility of any nature for such killing.

Licensed dogs when accompanied by their owner or handler shall not be included under the provisions of this section unless caught in the act of worrying, wounding or killing any live stock or poultry or attacking human beings, or mad or afflicted with hydrophobia.

22. It shall be unlawful for any person, except the owner or authorized agent, to remove any license tag from a dog collar, or to remove any collar with a license tag attached thereto, from any dog.

It shall be unlawful for any person to harbor, or permit to remain about his premises, any dog not having a license.

23. It is unlawful for the owner or keeper of any female dog to permit such female dog to go beyond the premises of such owner or keeper at any time she is in heat, unless such female dog is held properly in leash.

24. Any dog found or discovered off the premises of the owner between sunset and sunrise, unaccompanied by the owner, shall be considered as being an unlicensed dog and may be killed by the one so finding said dog or dogs, unless such person so finding such dog shall elect to hold him and then turn him over to the sheriff or deputy sheriff for impounding as provided in sections 18 and 19 thereof.

25. Whenever any person sustains any loss or damage to any live stock or poultry by dogs, or any live stock of any person is necessarily destroyed because of having been bitten by a dog, such person or his agent, or attorney may complain to the county judge, or to any justice of the peace. Such complaint shall be in writing, shall be signed by the person making such complaint, and shall state when, where and how such damage was done, and by whose dog or dogs, if known. Such county judge, or justice of the peace, shall appoint two appraisers whose duty it shall be to investigate and ascertain the amount of damages sustained. Said appraisers shall both be resident landowners of the county and not related to claimant by either blood or marriage. Said appraisers shall examine the place where the alleged loss or damage was sustained and the live stock or poultry injured or killed, and shall also examine under oath or affirmation any witness called before them. After making diligent inquiry in relation to such claim, said appraisers shall determine whether any damage has been sustained and the amount thereof, and if possible, who was the owner of the dog or dogs by which such damage was done, and shall forthwith make a written report of this investigation and findings to the county judge, or justice of the peace appointing them.

Any person owning, keeping or harboring such dog or dogs shall be liable to the owner of such live stock or poultry in a civil action for all damages done and costs.

But if it appear from the complaint and appraisers' report aforesaid that the owner who suffers the loss will for any cause probably be unable to collect the damages done to his property by a civil action or if it appear therefrom that the person owning or harboring such dog or dogs is not known, said owner who suffers the loss shall be reimbursed out of said live stock and poultry fund of the county in which said damage occurred in the manner hereinafter provided.

26. Upon making the examination required in Section 25 of this act, the county judge or magistrate shall immedi-

ately make a certificate thereto, signed and sealed by him, that such appraisement was regularly and duly made. If, by such examination, it appears that any damage has been sustained by the claimant, the county judge, or justice of the peace shall deliver the report of such examination, and all papers relating to the case to the claimant or his agent or attorney, upon payment of the costs up to that time. Such reports shall be delivered to the sheriff to be filed in his office.

27. The sheriff of the county receiving such report, if it appears thereby that a certain amount of damage has been sustained by the claimant, shall immediately draw his order on the treasurer of the county in favor of the claimant for the amount of loss or damage such claimant has sustained according to such report, together with necessary and proper costs incurred. Such amount shall be paid by the county treasurer out of the live stock fund. No person shall receive any order for any claim until the county judge, justice of the peace, before whom the claim was made has certified that due diligence was made to ascertain whose dog or dogs did the damage and where the carcasses of the live stock or poultry killed, and for which damges have been assessed, were located within twenty-four hours after the assessment of damages, and that said damages are probably not collectable in a civil action, giving the reasons.

§ 28. Any stock injured, damaged or killed by a dog or dogs, the owner or owners of same shall be paid for such injuries or damages done to live stock or poultry belonging to them not to exceed the amounts hereinafter designated for the kinds of stock injured, damaged or killed, namely:

For each horse or mule not to exceed $75.00; for each head of cattle not to exceed $40.00; for each head of swine weighing over one hundred pounds, not to exceed $15.00 and weighing under one hundred pounds, not to exceed $7.50; for each head of grade sheep not to exceed $12.00; for each head of grade lambs not to exceed $8.00; for each head of registered or eligible to be registered lamb not to exceed $15.00;

for each head of chicken or duck not to exceed $1.00; and for each head of turkey or geese not to exceed $3.00.

Any valid claim or parts thereof for loss or damage to sheep, horses, mules, cattle or swine which have accrued under any general or local laws at any time, prior to the passage of this act, shall not abate by reason of the repeal of such general or local act, but shall be paid out of the same fund of the proper county.

All claims or parts thereof remaining unpaid for any reason at the close of any year shall not abate, but shall continue as claims until paid in full.

29. The county judge, upon an oral or written charge of any person, supported by oath or affirmation to the effect that any dog has killed or injured live stock or poultry, shall issue a summons against the owner of said dog or against the person having control, custody or possession thereof, or, if the owner thereof be a minor, against the parent, guardian or person having custody and control of said minor, ordering the person or persons summoned to produce the dog in court within three days.

The court shall make record of all steps taken, orders made and judgments entered in the proceedings, which shall be in the name of the Commonwealth, and against the dog in the name of the owner, or any person authorized in the preceding paragraph to be notified of the charge against the dog. The owner or other person summoned may make defense to the charge against the dog. If the court, upon hearing, adjudges that the dog on trial has either killed or injured live stock or poultry, he shall enter an order directing said dog to be destroyed by the sheriff. The owner or person defending for a dog, which has been convicted, may within three days prosecute an appeal to the circuit court, which appeal shall be subject to the laws of this commonwealth relating to civil appeals.

Pending the hearing before the county court, the court shall require such bond of the owner or person having cus-

tody of the dog as will insure the presence of the dog in court upon the hearing. Before an appeal may be prosecuted the county court shall require the owner of the dog, or the person who has defended on the dog's behalf, to execute a good and sufficient bond, not to exceed the sum of four hundred dollars ($400.00), that the dog will be presented to the sheriff upon final determination of the appeal, so that the judgment entered against the dog may be executed. Said bond shall also cover the costs of the suit.

The county attorney shall be entitled to a fee of ten dollars ($10.00) to be taxed as part of the costs for attending the court and actually prosecuting the case. Upon an appeal to the circuit court it shall be the duty of the commonwealth's attorney and the county attorney to prosecute the case, and each shall be allowed a fee of ten dollars ($10.00) for his services in the circuit court, which fees shall also be taxed as part of the costs. Each court hearing the charge, if defense is made and the dog ordered destroyed, shall tax as costs such other fees as may be allowed by law.

30. It is unlawful for any person knowingly to make any false statement or to conceal any fact required to be disclosed under any provisions of this act.

31. In any proceedings under this act the burden of proof of the facts that a dog has been licensed, or has been imported for breeding, trial, or show purposes, shall be on the owner of such dog. Any dog not bearing a license tag shall prima facie be deemed to be unlicensed.

32. The Commissioner of Agriculture, through his officers and agents, is charged with the general enforcement of this act and shall have general supervision over the licensing and regulation of dogs and protection of live stock and poultry from damage by dogs in all counties of the Commonwealth. To this end the Commissioner of Agriculture may employ all proper means for the enforcement of this act. Any other state department, bureau, or commission must on request of the Commissioner of Agriculture assist in the

enforcement of the provisions of this act. To that end each sheriff shall on or before January 1, 1931, and on the first day of each month of that year and of each succeeding year, draw his warrant on the county treasurer of his county in favor of the Commissioner of Agriculture for a sum equal to six (6%) per cent of the amount received for said licenses during the preceding month or months. Said amount so received by him shall be used and employed by the Commissioner for the purposes herein set forth. But before said sheriff shall issue any warrant as provided herein, the Commissioner of Agriculture shall have within six months caused to be filed with the sheriff an affidavit showing just what the Commissioner or his agents or employees have done with reference to enforcing this law. Said affidavit shall become a public record and be open to inspection to any person interested. The said affidavit shall show the amounts of money itemized that said Commissioner of Agriculture has expended in the enforcing of this law. In each county where said Commissioner of Agriculture or his agents have worked during the year it shall be the duty of the sheriff of said county to turn over all of said affidavits to the Grand Jury of said county, and it shall be the duty of the Grand Jury of said county to investigate said accounts and report to the Court whether or not the said services have been rendered and to return any necessary indictment that may be due if said services have not been rendered or the money properly expended. The Commissioner of Agriculture shall not pay out of said fund any money to any clerk or employee unless said clerk or employee gives all of his time to said services.

It shall be the duty of said Commissioner of Agriculture to ascertain whether or not the County Tax Commissioners have listed the dogs as provided by this act and reported same to the Commissioner of Agriculture, and the Commissioner of Agriculture, shall send a copy of the report with his findings to the Commonwealth's Attorney in the counties affected, that the same may be presented to the Grand Juries of the

respective counties to take such action as may be deemed necessary.

33. Any person other than an officer violating or failing or refusing to comply with, any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be adjudged to pay a fine of not less than fifty dollars ($50.00) nor more than five hundred dollars ($500.00), or to undergo an imprisonment of not exceeding three months, or both, at the discretion of the court. All fines collected under the provisions of this act, shall be forthwith paid to the treasurer of the proper county, and credited after the payment of such commissions as officers be entitled to under the law, to the live stock fund.

34. It shall be the duty of each Circuit Judge in charging the Grand Jury in each county at the first session of court after January 1st of 1931 and of each year thereafter, and at such other sessions as he may see proper to direct their attention to any violations of the provisions of this act and particularly to any failures to license dogs hereunder.

35. Nothing in this act shall be construed to prevent the owner of a licensed dog from recovery, by action at law, the value of any dog, which dog has been illegally killed by any officer, farmer, stockman or other person within the Commonwealth, from said officer, farmer, stockman or other person. In case such officer or other person fails to pay the value of such dogs so killed, the same shall be paid by the proper county. Said value of said dog to be ascertained in the same manner and form as provided in section 25 of this act for assessing the damages done live stock by dogs. But the amount so paid for such dog or dogs shall not exceed $25.00 per dog.

Nothing in this act shall be so construed to prevent the killing of a dog caught chasing deer at any time of the year, on either public or private lands; or to prevent the killing of dogs by any officer empowered to enforce the game laws of this Commonwealth when said dogs are pursuing game during

the closed season for the training of dogs on game providing said dogs are not under the immediate control or accompanied by their owner or keepers, and also provided that legal notice has previously been given said owner or keeper as required by the game laws of this Commonwealth.

36. In the event that any one or more of the provisions of this act should be decided to be invalid or unconstitutional, the court's decision holding same to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this act, it being the intention of the Legislature that the provisions of this act are severable, each would have been enacted without the others.

The sheriff shall annually on or before February first of each year make an annual report to the Commissioner of Agriculture of all licenses issued, the amount collected, number and kind of live stock injured or killed, amount paid for same, the amount collected in fines, amount paid out and for what, and in fact a general report covering the enforcement of this act and any other information requested by the Commissioner of Agriculture. The Commissioner of Agriculture shall, beginning in the calendar year 1930, and in each year thereafter furnish the sheriff of each county in this Commonwealth with the necessary blank licenses, metal tags and records as provided for in this act.

37. All moneys collected by the various sheriffs in this Commonwealth under the provisions of this act shall, after deducting the amounts paid out for loss, damages, compensation and other expenses necessary for the enforcement of this act, revert to the school fund of the county. And the same shall be paid for by the county so furnished out of the live stock fund. If there are no funds in this fund they shall be paid for from the general fund of the county and said general fund shall be reimbursed from the live stock fund when such fund has collected an amount equal to that advanced from the general fund.

38. All laws or parts of laws in conflict with this act are

hereby repealed but nothing in this act shall interfere with any law for the protection and preservation of game or any act or parts of acts relating to mad dogs or dogs affected with any disease. This act shall become effective upon its passage and approval.

Said Amendment as offered by the Committee is as follows, viz.:

Amend S. B. 102 by adding after the word "dollar" in line 52 of Section 4, the following: "for each male dog and two ($2.00) dollars for each female dog."

Amend S. B. 102 by striking out all of Section 32 after the period, after the words "set forth" in line 415, page 15 of the printed bill.

Amend S. B. 102, page 16, Section 33, by striking out all of Section 33 and inserting in lieu therefor the following:

"Any person other than an officer violating or failing or refusing to comply with any of the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction shall be adjudged to pay a fine not to exceed one hundred dollars. All fines collected under the provisions of this Act, after costs and commissions are deducted therefrom shall be forthwith paid to the treasurer of the proper county to be credited to the county live stock fund."

Said Amendments were each and severally agreed to.

Mr. Lucas offered the following amendment to said bill, viz.:

Amend Senate Bill 102 by striking therefrom Sections 3, 4, 5, 6, 7, 8, 9, 10 11, 12, 14, 15, 16, 17, 18, 19, 21, 22, 24, 25, 26,

27, 29, 30, 31, 32, 34, 35, 36, and inserting in lieu thereof the following:

"The owners of any dog or dogs shall list his dog or dogs with the tax commissioner of his or her County at the same time he or she lists their other property, and in the same way and manner as livestock is listed, and shall pay the same rate of taxes on his or her dog or dogs as paid on livestock, except that no dog shall be listed for less than twenty-five dollars, and shall be paid at the same time other taxes are paid, in the same way and manner other taxes are paid, except that the tax receipt shall show the amount paid as taxes for a dog or dogs, and the Sheriff shall make settlement with the County Court Clerk for said taxes in the way and manner provided for settlement with other officers for other taxes, and all of the taxes collected on dogs shall constitute a livestock fund to pay for any livestock injured or killed by dogs, in the way and manner provided by Statute. Any dog or dogs may be sold for taxes in the same way and manner as other property is sold for taxes, and any other property owned by persons listing dogs shall be held liable for taxes on dogs the same as any other property, and any persons listing dogs for taxes, and no other property, and having no other property from which said taxes may be collected, their dog or dogs shall be sold for said taxes in the same way and manner as other personal property is sold, and if there are no bidders or buyers, then the County and State shall bid in said dog or dogs for said taxes, and immediately destroy the same in some humane manner by the Sheriff of the County, and for his services he shall be paid the sum of $2.00 for each dog destroyed, to be paid out of the livestock fund herein provided.

The Sheriff shall be paid the same per cent for collection of dog taxes as are paid for the collection of other taxes and the County Court Clerk shall be paid ten (10) per cent of the amount collected and distributed, for his services."

Said Amendment was disagreed to.

Mr. Lucas offered the following Amendment to said bill, viz.:

Amend S. B. 102 in House by striking out Section 24 of printed bill.

Said Amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Lucas and Miller were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	L. B. Hamilton	M. L. Napier
James A. Campbell	H. G. Handmaker	J. D. Patton
Bradley Combs	J. F. Harrison	W. E. Randall
J. J. Davis	J. Roy Johnson	E. J. Thomas
Winn Davis	Theron M. Johnson	J. A. Thompson
W. C. Dugan	M. F. Jordan	Thomas H. Troxel
Garland Embry	A. R. Kincheloe	L. M. Weathers
Joseph B. Everhart	Fred V. Lucas	G. W. Wigginton
Virgil Eversole	Geo. R. McIntosh	Robert Williams
F. A. Gnau	Russell O. Miller	—29

Those who voted in the negative were—

F. B. Adcock	Ben L. Cox	John B. Furlong
U. G. Anderson	H. G. Crabtree	Ralph Gilbert
W. O. Baxter	G. Cunningham	Robt. L. Horn
S. A. Blackburn	William J. Curtis	C. E. Houk
D. C. Bradley	S. J. Douthitt	R. L. Jackson
T. L. Britton	C. B. Dowling	Grover C. Johnson
J. Watt Brown	Thomas Dunn	J. R. Johnston
John R. Buckman	J. W. Edwards	John B. Klefot
Lee Clark	William A. Eimer	Frank LeBus
Leonard Cook	J. O. Evans	Martin Light
W. W. Cooper	Kelly J. Francis	H. R. Marquette

Joseph Martin	Andrew W. Nichols	Dorsey Ratliff
James A. May	H. L. Nickell	D. O. Stanley
T. R. McRoberts	Caleb A. Page	C. B. Truesdell
Henry Meiman	Curtis F. Park	Dr. Vallandingham
Clarence Miller	James I. Peters	
B. T. Morris	John H. Pickett	—49

Mr. Hamilton offered the following amendment to said bill:

Amend S. B. 102 by striking out lines 261, 262, 263 and 264 of the printed bill.

Said amendment was disagreed to.

Mr. Walters moved the Previous Question.

Thereupon the Speaker announced, "Shall the main question be now put?"

Which was decided in the affirmative.

Mr. Weathers offered the following Amendment to said bill, viz.:

Amend Section 28, in line 340 to 348 so that said section as amended shall read "that no recover for stock killed or injured shall not be in excess of the appraised value of stock given in for taxes excepting lambs born after the last assessment.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the

third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	T. R. McRoberts
E. S. Allison	J. O. Evans	Henry Meiman
U. G. Anderson	Joseph B. Everhart	Clarence Miller
W. O. Baxter	Kelly J. Francis	F. Tyler Munford
S. A. Blackburn	John B. Furlong	L. B. Murphy
John R. Buckman	Ralph Gilbert	Andrew W. Nichols
James A. Campbell	F. A. Gnau	H. L. Nickell
Lee Clark	L. B. Hamilton	Curtis F. Park
Leonard Cook	Rev. B. L. Hargrove	James I. Peters
W. W. Cooper	Robt. L. Horn	John H. Pickett
Ben L. Cox	C. E. Houk	Dorsey Ratliff
H. G. Crabtree	R. L. Jackson	Denny P. Smith
William J. Curtis	Grover C. Johnson	D. O. Stanley
Winn Davis	J. R. Johnston	E. J. Thomas
James R. Dorman	Frank LeBus	Thomas H. Troxel
S. J. Douthitt	Martin Light	C. B. Truesdell
C. B. Dowling	B. K. Marshall, Jr.	H. Speed Tye
Thomas Dunn	Joseph Martin	Dr. Vallandingham
J. W. Edwards	James A. May	—25

Those who voted in the negative were—

William B. Ardery	J. Roy Johnson	Caleb A. Page
Dr. R. A. Byers	Theron M. Johnson	W. E. Randall
Bradley Combs	M. F. Jordan	Elmer J. Terry
J. J. Davis	A. R. Kincheloe	J. A. Thompson
W. C. Dugan	Fred V. Lucas	L. M. Weathers
Garland Embry	Geo. R. McIntosh	G. W. Wigginton
Virgil Eversole	Russell O. Miller	Robert Williams
H. G. Handmaker	B. T. Morris	
J. F. Harrison	M. L. Napier	—56

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House entitled:

H. B. 404. An Act relating to Chiropractors.

H. Res. 18. Resolution for the benefit of Mary Kirk Ratliff of Boyd County, Kentucky.

Ordered that said bill and resolution be delivered to the Enrolling Clerk of this House.

And that they had passed a bill originating in that body, entitled:

S. B. 225. An Act amending and re-enacting Chap. 22 of the Acts of 1926, providing for the appointment of trial commissions in counties containing cities of the first class.

Ordered that said bill be printed and referred to Committee on Rules.

Mr. Napier of the Committee on Enrollment reported that they had examined and found to be correctly enrolled bills and resolutions of the following titles, viz.:

H. Res. 25. A Resolution authorizing John Allison to sue the Commonwealth of Kentucky.

H. Res. 36. Joint resolution authorizing suit against the Commonwealth of Kentucky in behalf of persons and firms named therein who had furnished labor, material supplies, etc.

H. B. 528. An Act to appropriate $4,000.00 annually to the State Board of Agriculture for the purpose of meeting premiums expense of said Board in promoting livestock.

H. B. 638. An Act to repeal, amend, and re-enact Section 2554a-16, Kentucky Statutes Service, 1928 Edition, relating to fees of arresting officers in liquor prosecutions.

H. B. 721. An Act to repeal, amend and re-enact Sec. 2580-1 Kentucky Statutes, relating to the jurisdiction of lands ceded to the United States for National Park purposes.

H. Res. 18. Resolution for the benefit of Mary Kirk Ratliff of Boyd County, Kentucky.

H. B. 535. An Act to amend and re-enact Sec. 3096 Kentucky Statutes, relating to the improvement of streets, etc.

H. B. 404. An Act relating to Chiropractors.

H. B. 650. An Act relating to primary system of roads and highways.

H. B. 653. An Act relating to primary system of roads and highways.

H. B. 661. An Act relating to primary system of roads and highways.

H. B. 663. An Act relating to primary system of roads and highways.

H. B. 664. An Act relating to primary system of roads and highways.

H. B. 665. An Act relating to primary system of roads and highways.

H. B. 666. An Act relating to primary system of roads and highways.

H. B. 667. An Act relating to primary system of roads and highways.

H. B. 669. An Act relating to primary system of roads and highways.

H. B. 670. An Act relating to primary system of roads and highways.

H. B. 671. An Act relating to primary system of roads and highways.

H. B. 672. An Act relating to primary system of roads and highways.

H. B. 673. An Act relating to primary system of roads and highways.

H. B. 674. An Act relating to primary system of roads and highways.

H. B. 680. An Act relating to primary system of roads and highways.

H. B. 685. An Act relatin gto primary system of roads and highways.

H. B. 686. An Act relating to primary system of roads and highways.

H. B. 687. An Act relating to primary system of roads and highways.

H. B. 688. An Act relating to primary system of roads and highways.

H. B. 691. An Act relating to primary system of roads and highways.

H. B. 694. An Act relating to primary system of roads and highways.

H. B. 695. An Act relating to primary system of roads and highways.

H. B. 699. An Act relating to primary system of roads and highways.

H. B. 700. An Act relating to primary system of roads and highways.

H. B. 701. An Act relating to primary system of roads and highways.

H. B. 711. An Act relating to primary system of roads and highways.

H. B. 712. An Act relating to primary system of roads and highways.

H. B. 715. An Act relating to primary system of roads and highways.

H. B. 716. An Act relating to primary system of roads and highways.

H. B. 730. An Act relating to primary system of roads and highways.

H. B. 731. An Act relating to primary system of roads and highways.

H. B. 732. An Act relating to primary system of roads and highways.

H. B. 733. An Act relating to primary system of roads and highways.

H. B. 734. An Act relating to primary system of roads and highways.

H. B. 738. An Act relating to primary system of roads and highways.

H. B. 739. An Act relating to primary system of roads and highways.

H. B. 747. An Act relating to primary system of roads and highways.

H. B. 748. An Act relating to primary system of roads and highways.

H. B. 752. An Act relating to primary system of roads and highways.

H. B. 754. An Act relating to primary system of roads and highways.

H. B. 760. An Act relating to primary system of roads and highways.

H. B. 761. An Act relating to primary system of roads and highways.

H. B. 762. An Act relating to primary system of roads and highways.

H. B. 767. An Act relating to primary system of roads and highways.

H. B. 774. An Act relatin gto primary system of roads and highways.

H. B. 775. An Act relating to primary system of roads and highways.

H. Res. 35. A Resolution providing for the participation of the Commonwealth in the celebration of the 150th anniversary of the foundation of Transylvania.

H. Res. 38. Resolution for the benefit of the Kentucky Children's Bureau.

H. B. 742. An Act to authorize the State Board of Charities and Corrections to lease and equip additional lands and buildings to be used as dormitories.

H. B. 327. An Act to enable cities of the 1st class to provide for City Planning and Zoning, etc.

H. B. 354. An Act to enable any city of the 1st class which has adopted a major street plan to, at any time or times and as often as it may desire, in its discretion to widen, alter, or extend the major streets, etc.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be corectly enrolled and thereupon the Speaker, in open session and in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

After a time the Enrolling Clerk delivered the enrolled and original copies of said bills, duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Dorman of the Rules Committee moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, MARCH 20, 1930.

The House was opened with prayer by the Reverend Brooks L. Hargrove, member of this House.

The roll was called and the following members answered to their names, viz.:

F. B. Adcock	G. Cunningham	L. B. Hamilton
E. S. Allison	William J. Curtis	H. G. Handmaker
William B. Ardery	J. J. Davis	Rev. B. L. Hargrove
W. O. Baxter	Winn Davis	J. F. Harrison
S. A. Blackburn	James R. Dorman	Robt. L. Horn
D. C. Bradley	S. J. Douthitt	C. E. Houk
T. L. Britton	C. B. Dowling	R. L. Jackson
John Young Brown	W. C. Dugan	Grover C. Johnson
J. Watt Brown	Thomas Dunn	J. Roy Johnson
John R. Buckman	J. W. Edwards	Theron M. Johnson
Dr. R. A. Byers	William A. Eimer	J. R. Johnston
James A. Campbell	Garland Embry	M. F. Jordan
Lee Clark	J. O. Evans	A. R. Kincheloe
Bradley Combs	Joseph B. Everhart	John B. Klefot
Elmer Cook	Virgil Eversole	Frank LeBus
Leonard Cook	Kelly J. Francis	Martin Light
W. W. Cooper	John B. Furlong	Fred V. Lucas
Ben L. Cox	Ralph Gilbert	H. R. Marquette
H. G. Crabtree	F. A. Gnau	B. K. Marshall, Jr.

Joseph Martin	Fred A. Nolte	E. J. Thomas
James A. May	Caleb A. Page	J. A. Thompson
Geo. R. McIntosh	Curtis F. Park	Thomas H. Troxel
T. R. McRoberts	J. D. Patton	C. B. Truesdell
Henry Meiman	James I. Peters	H. Speed Tye
Harry J. Meyers	John H. Pickett	Dr. Vallandingham
Clarence Miller	John W. Preston	J. D. Via
Russell O. Miller	W. E. Randall	J. E. Walters
M. F. Moore	Dorsey Ratliff	L. M. Weathers
B. T. Morris	Denny P. Smith	G. W. Wigginton
F. Tyler Munford	D. O. Stanley	Robert Williams
M. L. Napier	Frank L. Strange	J. S. Milliken, Spkr.
Andrew W. Nichols	Elmer J. Terry	

Mr. Dorman of Rules Committee moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Dorman of Rules Committee moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. Dorman of Rules Committee moved that when the hour of twelve o'clock Meridian arrives today that the House do then recess until one-thirty o'clock P. M.

Said motion was agreed to.

A message was received from the Senate announcing that they had reconsidered and passed a bill which originated in that body entitled:

S. B. 227. An Act appropriating bonds for the erection of a Memorial at Brandenburg, in Meade county commemorating the Civil War campaigns of General John Hunt Morgan, etc.

The objections and veto of the Governor to the contrary notwithstanding.

(For bill see House Journal of March 6)

The objections and veto of the Governor to S. B. 227 are as follows, viz.:

March 17, 1930 Vetoed.

Because of lack of State funds and the need of money to pay the current running expenses of the State Government it is necessary to disapprove this appropriation for a monument at Brandenburg, although I would much like to approve the measure if the State had the funds to pay the appropriation.

FLEM D. SAMPSON, *Governor*
Commonwealth of Kentucky.

Mr. Dorman moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding; and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. W. Edwards	T. R. McRoberts
William B. Ardery	William A. Eimer	Henry Meiman
S. A. Blackburn	J. O. Evans	Harry J. Meyers
D. C. Bradley	Kelly J. Francis	M. F. Moore
John Young Brown	John B. Furlong	F. Tyler Munford
John R. Buckman	Ralph Gilbert	Andrew W. Nichols
James A. Campbell	F. A. Gnau	H. L. Nickell
Lee Clark	L. B. Hamilton	Curtis F. Park
Elmer Cook	H. G. Handmaker	John H. Pickett
Leonard Cook	Robt. L. Horn	Denny P. Smith
W. W. Cooper	C. E. Houk	D. O. Stanley
Ben L. Cox	R. L. Jackson	Frank L. Strange
H. G. Crabtree	Grover C. Johnson	J. A. Thompson
G. Cunningham	Theron M. Johnson	Dr. Vallandingham
William J. Curtis	J. R. Johnston	J. D. Via
Winn Davis	M. F. Jordan	J. E. Walters
James R. Dorman	John B. Klefot	L. M. Weathers
S. J. Douthitt	Frank LeBus	G. W. Wigginton
C. B. Dowling	Fred V. Lucas	
Thomas Dunn	James A. May	—58

Those who voted in the negative were—

U. G. Anderson	Garland Embry	Dorsey Ratliff
T. L. Britton	H. R. Marquette	E. J. Thomas
J. Watt Brown	Geo. R. McIntosh	Thomas H. Troxel
Bradley Combs	Caleb A. Page	C. B. Truesdell
W. C. Dugan	J. D. Patton	Robert Williams
		—15

Mr. Dorman moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that

they had reconsidered and passed a bill which originated in that body, entitled:

S. B. 390. An Act repealing and re-enacting Sec. 2000 Kentucky Statutes, Carroll's 1922 Edition, being an Act dividing the State of Kentucky into thirty-eight senatorial districts.

The objections and veto of the Governor to the contrary notwithstanding.

(For bill see House Journal of March 7)

The objections and veto of the Governor are as follows, viz.:

VETO MESSAGE

Senate Bill No. 390

The bill, though apparently passed in conformity to Section 33 of the Constitution of Kentucky which requires a reapportionment of the State into Senatorial and Legislative Districts every ten years, violates, as I believe, both the letter and the spirit of the Constitution. The Constitution, Section 33, provides that the districts, both Senatorial and Legislative, into which the State is to be divided, shall be "as nearly equal in population as may be without dividing any County except where the County may include more than one district, which district shall constitute senatorial and representative districts for ten years *** at the expiration of that time the General Assembly shall then, and every ten years thereafter, redistrict the State according to this rule, and for the purposes expressed in this section. If, in making said districts, any inequality of population should be unavoidable, any advantage resulting therefrom, shall be given to districts having the largest territory."

Senate Bill No. 390, undertakes to redistrict the State into Thirty-eight Senatorial Districts, and in doing so it

adopts or follows the old districts as made and laid out in 1918 as an entirety, except in Jefferson County and the City of Louisville. Some of the County districts as well as those in Louisville as now constituted are almost twice as large in population and area as other districts, thus violating both the letter and the spirit of Section 33 of the Constitution.

For illustration of inequality of population and area, let me call your attention to Senatorial District 22, composed of Jessamine, Scott and Woodford Counties, in which the population based upon the vote cast in recent elections is estimated at approximately 39,000 and Senatorial District No. 35, composed of Boyd, Lawrence Johnson and Martin Counties, which have a population of approximately 73,000 and an area twice as large as Senatorial District No. 22.

Another illustration which may make clear the point is the difference between Senatorial Districts Nos. 30 and 33. In Senatorial District 30, composed of the counties of Harrison, Nicholas, Bracken and Robertson, the population is approximately 38,000 while the population of Senatorial District No. 33 composed of Harlan, Perry, Leslie, Letcher and Clay, has a population of approximately 103,000, and an area almost twice in size. Other illustrations of like kind can be readily furnished as to districts outside of Louisville, and this will serve to make plain the point that the State has not been fairly divided into Senatorial Districts outside of the City of Louisville. However, the most unfair, unequal and inexcusable invasion of the rights of the people and of the principles of the Constitution are to be found in the gerrymander of the County of Jefferson and the City of Louisville.

The County of Jefferson has four Senatorial Districts, three of which are now represented by Republicans and one by a Democrat.

The new re-districting measure gives the 23rd Senatorial District a population of approximately 80,000 and is so crooked and curved about as to make it normally Democratic. The 36th Senatorial District a population of approximately

90,000, both arranged so as to normally give a Democratic majority but the 38th Senatorial District which Senator Lewis Ryans now represents has a population of approximately 150,000. Three of the smaller districts, as now laid off, will, under normal conditions be democratic, while the one district which Senator Ryans represents would have more than 50,000 Republican majority, and embrace approximately one-half the population of the city of Louisville, and divide the balance of the territory of the city into such unusual, crooked, curved, zigzagged, scalloped lines as to make it almost impossible to determine when you are in or out of a given district except by the fact that those voting the Democratic ticket are put into the smaller districts, and those voting the Republican ticket into the large district. To prove the foregoing statement concerning irregularities of boundary and the unfairness of the division of Jefferson County into senatorial districts, the partisanship which induced it and its violation of the plain provisions of the Constitution, I will attach hereto if I can find a map showing the outline of the four senatorial districts of Jefferson County.

Although the Act of 1918 which re-districted the State into senatorial districts set forth the population of each district, a very significant fact.

All these facts considered, I am of opinion that Senate Bill No. 390, which attempts to redistrict the State into Senatorial Districts is not only unfair and unjust but contrary to both the spirit and the letter of the Constitution, for which reasons I disapprove it.

This March 18, 1930.

FLEM D. SAMPSON, *Governor*
Commonwealth of Kentucky

Mr. Dorman moved that the House do now reconsider said bill.

Said motion was agreed to.

Thereupon the House proceeded as provided by the Constitution, to reconsider said bill.

After such reconsideration the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon, the objections and veto of the Governor to the contrary notwithstanding, in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
William B. Ardery	Thomas Dunn	James A. May
W. O. Baxter	J. W. Edwards	T. R. McRoberts
S. A. Blackburn	William A. Eimer	Harry J. Meyers
D. C. Bradley	J. O. Evans	M. F. Moore
T. L. Britton	Kelly J. Francis	B. T. Morris
John Young Brown	John B. Furlong	Tyler F. Munford
J. Watt Brown	Ralph Gilbert	Andrew W. Nichols
John R. Buckman	F. A. Gnau	H. L. Nickell
James A. Campbell	L. B. Hamilton	James I. Peters
Lee Clark	Rev. B. L. Hargrove	Denny P. Smith
Elmer Cook	J. F. Harrison	D. O. Stanley
Leonard Cook	Robt. L. Horn	Frank L. Strange
W. W. Cooper	C. E. Houk	Elmer J. Terry
Ben L. Cox	R. L. Jackson	J. A. Thompson
H. G. Crabtree	Grover C. Johnson	Dr. Vallandingham
G. Cunningham	Theron M. Johnson	J. D. Via
William J. Curtis	J. R. Johnston	J. E. Walters
Winn Davis	M. F. Jordan	L. M. Weathers
James R. Dorman	John B. Klefot	G. W. Wigginton

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Those who voted in the negative were—

U. G. Anderson	H. G. Handmaker	J. D. Patton
Dr. R. A. Byers	J. Roy Johnson	John H. Pickett
Bradley Combs	H. R. Marquette	Dorsey Ratliff
J. J. Davis	Geo. R. McIntosh	E. J. Thomas
W. C. Dugan	Clarence Miller	Thomas H. Troxel
Garland Embry	Fred A. Nolte	C. B. Truesdell
Joseph B. Everhart	Caleb A. Page	Speed H. Tye
Virgil Eversole	Curtis F. Park	—23

Mr. Dorman of Rules Committee moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 38. An Act to amend and re-enact section seventeen hundred sixty-three of Carroll's Kentucky Statutes, nineteen hundred twenty-two edition, as amended by chapter one hundred twenty-one of the acts of the General Assembly of 1928, and to provide for the fixing of salaries of deputy county court clerks in the office of county court clerks in counties having a population of two hundred thousand or over.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section seventeen hundred sixty-three of Carroll's Kentucky Statutes, nineteen hundred twenty-two edition, as amended by chapter one hundred twenty-one of the acts of the General Assembly of 1928, be and the same hereby is amended by adding thereto the following proviso:

And provided further that in counties having a population of two hundred thousand or over the salaries of the first four deputy county court clerks shall be fixed at a reasonable amount not exceeding two thousand five hundred dollars ($2,500.00) per year, and the salary of each of the other deputies in the office of the county court clerk shall be fixed at a reasonable amount not exceeding two thousand dollars ($2,000.00) per year so that when said section seventeen hundred sixty-three is amended and re-enacted the same shall read as follows:

"The salary of the chief deputy of each of said officers shall be two thousand ($2,000.00) per year, and the salary of each of the other deputies shall be fixed at a reasonable amount not exceeding fifteen hundred dollars ($1,500.00) per year, provided that in counties having a population of two hundred thousand (200,000) or over the salary of the chief deputy sheriff shall be fixed at a reasonable amount not exceeding twenty-five hundred dollars ($2,500.00) a year, and the salary of each of the other deputy sheriffs shall be fixed at a reasonable amount not exceeding two thousand dollars ($2,000.00) per year, and provided further that in counties having a population of two hundred thousand or over the salaries of the first four deputy county court clerks shall be fixed at a reasonable amount not exceeding two thousand five hundred dollars ($2,500.00) per year, and the salary of each of the other deputies in the office of the county court clerk shall be fixed at a reasonable amount not exceeding two thousand dollars ($2,000.00) per year."

§ 2. The necessity for efficient and adequately compensated help and assistance in the conduct of office of the county court clerk in counties having population of two hundred thousand (200,000) or over is immediate and urgent, and therefore an emergency is hereby declared to exist, and this act shall take effect immediately after its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	Joseph B. Everhart	B. T. Morris
U. G. Anderson	Virgil Eversole	H. L. Nickell
William B. Ardery	Kelly J. Francis	Caleb A. Page
W. O. Baxter	L. B. Hamilton	Curtis F. Park
S. A. Blackburn	H. G. Handmaker	J. D. Patton
T. L. Britton	Robt. L. Horn	John H. Pickett
John R. Buckman	C. E. Houk	John W. Preston
Dr. R. A. Byers	R. L. Jackson	W. E. Randall
Bradley Combs	Grover C. Johnson	Dorsey Ratliff
Elmer Cook	J. Roy Johnson	E. J. Thomas
Leonard Cook	J. R. Johnston	Thomas H. Troxel
W. W. Cooper	A. R. Kincheloe	C. B. Truesdell
G. Cunningham	John B. Klefot	H. Speed Tye
William J. Curtis	Fred V. Lucas	Dr. Vallandingham
J. J. Davis	H. B. Marquette	J. D. Via
Winn Davis	B. K. Marshall, Jr.	L. M. Weathers
James R. Dorman	James A. May	G. W. Wigginton
W. C. Dugan	Geo. R. McIntosh	Robert Williams
Thomas Dunn	Henry Meiman	
Garland Embry	Harry J. Meyers	—58

Those who voted in the negative were—

F. B. Adcock	H. G. Crabtree	Rev. B. L. Hargrove
D. C. Bradley	S. J. Douthitt	M. F. Jordan
John Young Brown	C. B. Dowling	Martin Light
J. Watt Brown	J. O. Evans	Andrew W. Nichols
James A. Campbell	John B. Furlong	James I. Peters
Lee Clark	Ralph Gilbert	D. O. Stanley
Ben L. Cox	F. A. Gnau	J. E. Walters

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of twelve o'clock Meridian having arrived the House recessed until one-thirty o'clock P. M.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

A message was received from the Senate announcing that they had passed bills and resolutions which originated in this House entitled:

H. Res. 20. Joint Resolution for the payment to John P. Cusick, secretary of the State Board of Election Commissioners.

H. Res. 24. A resolution authorizing Walter Pennington to sue the Commonwealth.

H. B. 127. An Act to repeal and re-enact Sec. 1 of Sec. 606 of Carroll's Kentucky Civil Code.

H. B. 128. An Act appropriating Four Hundred and Seventy-five Dollars to M. Livingston and Company on account of overpaid taxes.

H. B. 177. An Act to provide for the appointment of a curator.

H. B. 208. An Act to establish and maintain a public employment service in connection with the Department of Labor.

H. B. 364. An Act releasing owners of motor vehicles from responsibility for injuries to passengers therein.

H. B. 411. An Act concerning the laws of the State and the reports of the Court of Appeals.

H. Res. 46. Resolution providing for furnishing Kentucky Directories.

H. B. 413. An Act to enable the county court to order the transfer of corporate stock by a personal representative.

H. B. 473. An Act to permit fiscal courts of counties containing cities of the first class, in which there has been erected a Memorial to the Soldiers, etc., to make annual contributions.

H. B. 513. An Act to amend and re-enact Sec. 3563 of Kentucky Statutes, relating to the improvement of public ways in cities of the 4th class.

H. B. 453. An Act to amend subsec. 9 of Section 3704 of Kentucky Statutes, relating to cemeteries owned by cities of the sixth class.

H. B. 468. An Act to amend and re-enact Sec. 1 of chapter 143 on page 636 of the Acts of 1920 which was neither approved nor disapproved by the Governor, etc.

H. B. 597. An Act appropriating eighteen thousand dollars to the Kentucky State Industrial College for Colored Persons at Frankfort, Kentucky.

H. B. 740. An Act concerning and providing for the closing, discontinuing and condemning of streets, etc.

H. B. 729. An Act providing that all educational institutions which do junior college work and educational work above that standard.

H. B. 771. An Act relating to the Kentucky State Park Commission and validating and providing for the payment of bills incurred by said Commission.

Ordered that said bills and resolutions be delivered to the Enrolling Clerk of this House.

A message was received from the Senate announcing that they had passed a bill which originated in this House entitled:

H. B. 684. An Act amending, repealing and re-enacting Sec. 3828-2, Kentucky Statutes, Carroll's 1922 Edition, being an act concerning the parole of convicts, etc.

With an amendment thereto which was adopted in the Senate.

(For bill see House Journal March 14)

Said Amendment as offered by the Senate is as follows, viz:

Amend H. B. 684 by adding at the end of said bill the words "This bill shall not apply to persons over 21 years old."

Mr. Handmaker moved that the House refuse to concur in said Amendment.

Said motion was agreed to.

Ordered that the Chief Clerk report said action to the Senate.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the day a bill entitled:

S. B. 73. An Act providing for the licensing of drivers of motor vehicles upon the highways of this Commonwealth, providing for the issuing and revocation of same, the recording of motor vehicle offenses, fixing the amount of said license, and providing penalties for violations.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

On and after the first day of January, 1931, no person shall drive or operate a motor vehicle upon any highway of this Commonwealth, unless such person shall have obtained and have in his possession a license as hereinafter provided.

Said license shall be issued by the State Tax Commission, or whomsoever now or hereafter issues automobile licenses, through the county clerk of the county in which the applicant resides. Before said license shall be issued, said applicant shall be required to swear to an application on blanks furnished by the State Tax Commission that he is sixteen years of age or older, sober and discreet, physically and mentally fit to operate a motor vehicle. Upon signing of said application, the county clerk shall issue to said applicant a card of convenient size, containing applicant's name and address on one side, and blank lines on the other side for inserting the record of any conviction of any violation of the motor vehicles laws. Licensees shall be required to carry said card at all times and present same when called upon by any law-enforcing officer or any person with whom said

licensee may have had an accident. Said license shall be permanent unless suspended or revoked as hereinafter provided.

For the issuing of said license, the officer issuing same shall receive a fee of twenty-five cents.

Any license so granted may be revoked or suspended after an open trial with due notice to the licensee whenever in the judgment of the judge of the county court, the licensee has shown himself unfit, physically or mentally, to operate a motor vehicle upon the highways of this Commonwealth, or whenever in the judgment of the judge of the county court the licensee has violated the motor vehicle law or laws of this Commonwealth so that in the opinion of said judge, said licensee is unfit to operate a motor vehicle. It shall be within the discretion of said county judge whether the revocation shall be permanent or whether it shall be a suspension of said license for a certain given time. An appeal from the rulings and decisions of said county judge may be had to the circuit court.

Non-resident drivers who have complied with the driver's license law in their own state shall be exempt from the provisions of this law for the same length of time that is granted to non-residents of their state. Non-resident drivers from states that do not have a driver's license law shall be exempt from the provisions of this law for a period of ten days in any one calendar year.

If said license card is lost or mutilated, the licensee may obtain a duplicate upon the payment to the county clerk of the sum of twenty-five cents. Before issuing said duplicate card, said clerk shall insert on the card all offenses that have been recorded against such licensee.

No person, firm or corporation owning or having the custody of a motor vehicle, shall allow or permit same to be operated upon the public highways of this Commonwealth by any person who has not complied with all of the provisions of this act.

It shall be the duty of the County Clerks to keep a docket for the recording of every conviction under the motor vehicle laws of this Commonwealth and on and after January 1st, 1931, it shall be the duty of any court in which a conviction has been had for the violation of any motor vehicle law of Kentucky, to notify the County Clerk of said conviction in the county in which the defendant resides. All said notices shall be kept on the docket of said County Clerk.

Notice of all such convictions shall be sent to the State Tax Commission who shall keep a permanent record of same.

It shall be the duty of the State Tax Commission, or any officer to whom like duties may be conferred by law, to furnish all necessary blanks and cards used, and do all things necessary to the administration of this Act. Any one violating any of the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction be fined not less than twenty-five dollars, nor more than one hundred dollars, or by confinement in the county jail for a period of not less than five nor more than thirty days.

The provisions of this Act shall not apply to persons whose business or occupation, in whole or in part, is the operation of motor vehicles for compensation, wages or hire, or who drives any automobile or motor bus for the transportation of persons for hire between fixed termini or over a regular route.

With a Committee Amendment thereto.

Said Amendment as offered by the Committee is as follows, viz.:

Amend S. B. 73 by substituting the words "Circuit Clerk" for the words "County Clerk" wherever the same appears therein.

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Henry Meiman
U. G. Anderson	Thomas Dunn	Russell O. Miller
S. A. Blackburn	J. W. Edwards	M. F. Moore
D. C. Bradley	William A. Eimer	B. T. Morris
T. L. Britton	Joseph B. Everhart	Andrew W. Nichols
John Young Brown	Kelly J. Francis	Caleb A. Page
John R. Buckman	F. A. Gnau	Curtis F. Park
Dr. R. A. Byers	L. B. Hamilton	John W. Preston
James A. Campbell	C. E. Houk	D. O. Stanley
W. W. Cooper	R. L. Jackson	Frank L. Strange
Ben L. Cox	Grover C. Johnson	Elmer J. Terry
H. G. Crabtree	A. R. Kincheloe	E. J. Thomas
J. J. Davis	John B. Klefot	C. B. Truesdell
James R. Dorman	Frank LeBus	Dr. Vallandingham
S. J. Douthitt	Geo. R. McIntosh	J. D. Via

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Those who voted in the negative were—

J. Watt Brown	Rev. B. L. Hargrove	H. L. Nickell
Lee Clark	J. Roy Johnson	J. D. Patton
Elmer Cook	Theron M. Johnson	James I. Peters
Leonard Cook	J. R. Johnston	Dorsey Ratliff
G. Cunningham	Martin Light	J. A. Thompson
W. C. Dugan	Fred V. Lucas	Speed H. Tye
J. O. Evans	James A. May	G. W. Wiggington
John B. Furlong	T. R. McRoberts	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a resolution entitled:

S. Res. 39. Resolution relating to highways in National Park area.

Said resolution is as follows, viz.:

WHEREAS, there are now pending before Congress two bills designated as H. R. 8000 and S. B. 3073, to provide for the designation and construction of national park approach roads, and

WHEREAS, said bills provide that whenever the Secretary of Interior shall determine it to be in the public interest he may designate as National Park approach roads and as supplementary parts of the Highway System any of the National Park roads whose primary value is to carry National Park travel and which lead across lands wholly or partly owned by the Federal Government, and which will connect the highways within a national park with a convenient point on the Federal Aid Highway System. Such approach roads so designated, under the Bill, would be limted not to exceed sixty miles in length between a park gateway and the nearest convenient Federal Aid road, or where such approach road is carried on the Federal Aid System, it shall be limited not to exceed thirty miles. For the purpose of carrying out this program, the Secretary of the Interior would be authorized to reconstruct and improve such national park approach roads

so designated and the sum of $5,000,000 would be authorized to be appropriated for the fiscal year ending June 30, 1931, the sum of $5,000,000 for the fiscal year ending June 30, 1932, and the sum of $5,000,000 for the fiscal year ending June 30, 1933, and

WHEREAS, there will be located in Kentucky the Mammoth Cave National Park.

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

That it is the sense of the General Assembly of Kentucky that the passage of said bill or bills by the Congress of the United States will be of great and lasting benefit to the Commonwealth of Kentucky and to the United States of America, and

BE IT FURTHER RESOLVED, That each member of Congress from Kentucky be and hereby are requested to support said bill or bills, and

BE IT FURTHER RESOLVED, That the Clerk of the Senate send copy of this Resolution to each member of Congress from Kentucky.

Said resolution was concurred in.

At the instance of the Committee on Rules the House took up from the Orders of the Day a bill entitled:

H. B. 591. An Act providing educational opportunities for the orphans of soldiers, sailors and marines who were killed in action or died during the World War, and appropriating necessary funds therefor from the general fund.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The sum appropriated under the provisions of this act shall be used for the sole purpose of providing for

matriculation fees, board and room rent and books and supplies for the use and benefit of the children not under sixteen and not over twenty-one years of age, and who have for twelve months had their domicile in the State of Kentucky, of those who were killed in action or died from other cause in the World War, from April 6, 1917, to July 2, 1921, while serving in the army, navy or marine corps of the United States; which children are attending or may attend a state educational or training institution of a secondary or college grade. Said children shall be admited to state institutions of secondary or college grade free of tuition.

§ 2. The amounts that may be or may become due to any such educational or training institution, not in excess of the amount specified in section three thereof, shall be payable to such institution from the fund hereby created on vouchers approved by the State Board of Education. Said board shall determine the eligibility of the children who may make application for the benefits provided for in this act; satisfy itself of the attendance of such children at any such institution and of the accuracy of the charge or charges submitted to said board by the authorities of any such institution, on account of the attendance thereat of any such children; provided no member of said board or the secretary shall receive any compensation for such services.

§ 3. The sum of three thousand, six hundred dollars, or so much thereof as may be necessary, is hereby appropriated from the general fund for each of the fiscal years ending June 30, 1931, and June 30, 1932 for carrying out the provisions of this act; provided not more than one hundred and fifty dollars shall be paid under said provisions for any one child for any one year.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Joseph B. Everhart	Joseph Martin
W. O. Baxter	Virgil Eversole	James A. May
D. C. Bradley	Kelly J. Francis	Geo. R. McIntosh
John Young Brown	John B. Furlong	Henry Meiman
J. Watt Brown	Ralph Gilbert	M. F. Moore
James A. Campbell	F. A. Gnau	H. L. Nickell
Bradley Combs	L. B. Hamilton	Fred A. Nolte
Leonard Cook	H. G. Handmaker	Curtis F. Park
W. W. Cooper	Rev. B. L. Hargrove	J. D. Patton
Ben L. Cox	Robt. L. Horn	John H. Pickett
H. G. Crabtree	C. E. Houk	Denny P. Smith
G. Cunningham	R. L. Jackson	Frank L. Strange
J. J. Davis	Grover C. Johnson	Elmer J. Terry
Winn Davis	J. Roy Johnson	E. J. Thomas
James R. Dorman	Theron M. Johnson	J. A. Thompson
S. J. Douthitt	J. R. Johnston	H. Speed Tye
C. B. Dowling	M. F. Jordan	J. E. Walters
W. C. Dugan	A. R. Kincheloe	L. M. Weathers
Thomas Dunn	John B. Klefot	G. W. Wiggington
J. W. Edwards	Frank LeBus	Robert Williams
William A. Eimer	Martin Light	
J. O. Evans	Fred V. Lucas	—64

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agred to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 353. An Act to repeal and re-enact Section 2380, Sub-section 2, Kentucky Statutes, Carroll's Edition, being 1926 supplement and being the Act as amended March 25th, 1916, Chapter 6, page 9 of the 1926 Acts, relating to the establishment of drainage districts and the petitioning therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2380, Sub-section 2, Carroll's Edition, as shown in the supplement of 1926, and which was amended by Chapter 6, page 9 of the Acts of 1926, be and same is hereby repealed and there be and now is enacted in lieu thereof, the following, to-wit:

Before the county judge shall establish, widen, straighten, deepen or construct or reconstruct any such levee, ditch, drain, canal, creek or water course, there shall be filed with the county clerk of such county a petition signed by not less than twenty-five per cent (25%) of the land owners or by the owners of not less than twenty-five percent (25%) of the lands in the proposed district embraced in said district as shown by the petition. In such petition shall be set forth the body of land or district of land, in the county and adjoining county, or counties, proposed to be ditched, drained or leveed, described in such a way as to convey a general idea as to the location of the land, and that the drainage or leveeing of same would result in public benefit or utility, or that the public health, convenience or welfare shall be promoted by the draining, ditching or leveeing of same, or by changing or improving the levee, ditch, drain, canal, creek or water course, if already in existence, in whole or in part, and also there shall be set forth as far as practicable, the starting point, route, terminus, and lateral branches, if any, of the proposed improvement. Before any action is taken on said petition, the petitioners, or some one or more of them, shall

execute a bond, with two or more individual sureties, or with some lawful surety or bonding company, to be approved by the county clerk in either event, to the Commonwealth of Kentucky, for the use and benefit of any party in interest, and in a sum not to exceed two hundred dollars ($200.00) per mile for each mile in length of the proposed improvement, conditioned for the payment of all costs and expenses incurred, in case the court shall fail or refuse to grant the prayer of said petition. If, at any time during the proceeding, the court shall be satisfied the bond first executed is insufficient in amount, it may require the execution of additional bonds, and upon failure to the petitioners to execute same when required, the petition shall be dismissed. In said petition shall also be set forth the names of the owners of the lands, so far as known to the petitioners, whose lands are likely to be affected by the improvement. When said petition and bond shall have been filed with the county clerk, the county judge, whether at a regular term time or not, shall thereupon appoint a competent civil and drainage egineer and two resident free holders of the county, and the two free holders shall be persons not named in the petition as interested, and not related to any of the parties so named in the petition as interested, and not related to any of the parties so named, who shall constitute the board of viewers, to examine the lands named in the petition and to make a preliminary report. If the district proposed to be drained or leveed is located in more than one county, such petition may be filed in either county, and the county judge of the county in which the peition is first filed shall have jurisdiction of the proceeding.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	J. W. Edwards	John B. Klefot
E. S. Allison	William A. Eimer	Frank LeBus
W. O. Baxter	J. O. Evans	Martin Light
S. A. Blackburn	Joseph B. Everhart	Fred V. Lucas
D. C. Bradley	Virgil Eversole	Joseph Martin
T. L. Britton	Kelly J. Francis	James A. May
John Young Brown	John B. Furlong	Geo. R. McIntosh
J. Watt Brown	Ralph Gilbert	Henry Meiman
Leonard Cook	F. A. Gnau	M. F. Moore
W. W. Cooper	L. B. Hamilton	H. L. Nickell
Ben L. Cox	Rev. B. L. Hargrove	Curtis F. Park
William J. Curtis	J. F. Harrison	James I. Peters
James R. Dorman	Robt. L. Horn	Denny P. Smith
John R. Buckman	R. L. Jackson	D. O. Stanley
James A. Campbell	Grover C. Johnson	Frank L. Strange
Lee Clark	J. Roy Johnson	E. J. Thomas
Bradley Combs	Theron M. Johnson	L. M. Weathers
S. J. Douthitt	J. R. Johnston	G. W. Wigginton
C. B. Dowling	M. F. Jordan	Robert Williams
Thomas Dunn	A. R. Kincheloe	—59

There voted in the negative—

T. R. McRoberts —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 323. An Act to amend section 2413 Carroll's Kentucky Statutes, 1922 edition, conferring power of contract and condemnation on counties when the fiscal court undertakes to drain ponds, pools and swamp marshes, or to reclaim swamp land, and providing for the method of condemnation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 2413 of Carroll's Kentucky Statutes, 1922 edition, be, and hereby is amended and re-enacted so that said section when amended and re-enacted shall read as follows:

"Section 2413. That the several counties of this commonwealth be, and they are hereby, authorized to remove any ponds, pools or swamp marshes, or reclaim swamp land that may cause sickness in any of said counties, by ditching, leveeing or cleaning out logs and brush that may cause any creek therein to scatter or form pools of stagnant water therein, to be paid for out of the county levy, or by taxation of the taxable property in said county subject to taxation for state purposes.

"When the fiscal court of any county shall undertake such a project, it shall have power to acquire for the county by contract or condemnation such land as is necessary to carry out said project. If condemnation proceedings are necessary they shall be in the manner as is now provided by law in the case of railroad companies."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	Martin Light
U. G. Anderson	Joseph B. Everhart	Fred V. Lucas
William B. Ardery	Kelly J. Francis	James A. May
W. O. Baxter	John B. Furlong	Geo. R. McIntosh
S. A. Blackburn	Ralph Gilbert	T. R. McRoberts
D. C. Bradley	F. A. Gnau	M. F. Moore
John R. Buckman	L. B. Hamilton	H. L. Nickell
James A. Campbell	H. G. Handmaker	Fred A. Nolte
Lee Clark	Rev. B. L. Hargrove	Curtis F. Park
Elmer Cook	J. F. Harrison	J. D. Patton
Leonard Cook	Robt. L. Horn	John H. Pickett
W. W. Cooper	C. E. Houk	Dorsey Ratliff
Ben L. Cox	R. L. Jackson	Denny P. Smith
H. G. Crabtree	Grover C. Johnson	Frank L. Strange
G. Cunningham	J. Roy Johnson	E. J. Thomas
William J. Curtis	Theron M. Johnson	J. A. Thompson
Winn Davis	J. R. Johnston	Thomas H. Troxel
James R. Dorman	M. F. Jordan	Speed H. Tye
C. B. Dowling	A. R. Kincheloe	J. E. Walters
W. C. Dugan	John B. Klefot	Robert Williams
J. W. Edwards	Frank LeBus	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 308. An Act to amend and re-enact Section 2290a, Chapter 74a, of Carroll's Kentucky Statutes, Edition of 1922.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Section 2290a, Chapter 74a, of Carroll's Kentucky Statutes, Edition of 1922, is hereby amended and re-enacted so that said section when amended and re-enacted shall read as follows:

All sums appropriated for the benefit of the Kentucky Historical Society shall be used by said Society to pay the salary of the Secretary-Treasurer, Librarian, Curator, Editor of The Register and Business Manager, and such other officers and employees as may be necessary to properly transact the business of the Society, and to pay for printing and editing The Register, other printing, stationery, postage and office supplies, and for the purchase of books and objects of historic interest and to meet other incidental expenses.

The Secretary-Treasurer shall give an annual bond for the faithful performance of the duties of said office and the proper accounting for all funds that may come into the hands of said Society. The annual premium for such bond shall be paid by the Society. The salaries of all officers and employees of the Society shall be fixed annually by the Executive Committee of the Society.

The Society shall prepare and publish periodically a magazine, The Register, devoted to matters of historic interest, and such other publications as may be required by the Society; said printing to be included in the contract for first-class printing.

The Society shall keep a full and correct account of all its receipts and expenditures and make a biennial report thereof to the State Budget Commission for the information of each recurring session of the General Assembly.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	James A. May
E. S. Allison	W. C. Dugan	Harry J. Meyers
U. G. Anderson	J. W. Edwards	M. F. Moore
William B. Ardery	William A. Eimer	H. L. Nickell
W. O. Baxter	Joseph B. Everhart	Fred A. Nolte
S. A. Blackburn	Kelly J. Francis	Curtis F. Park
D. C. Bradley	John B. Furlong	J. D. Patton
John Young Brown	F. A. Gnau	John H. Pickett
J. Watt Brown	L. B. Hamilton	Denny P. Smith
James A. Campbell	C. E. Houk	D. O. Stanley
Lee Clark	R. L. Jackson	Frank L. Strange
Bradley Combs	Grover C. Johnson	Elmer J. Terry
Leonard Cook	J. Roy Johnson	C. B. Truesdell
W. W. Cooper	Theron M. Johnson	H. Speed Tye
Ben L. Cox	M. F. Jordan	J. D. Via
H. G. Crabtree	John B. Klefot	J. E. Walters
G. Cunningham	Frank LeBus	G. W. Wiggington
J. J. Davis	Martin Light	Robert Williams
James R. Dorman	Fred V. Lucas	
S. J. Douthitt	Joseph Martin	—58

There voted in the negative—

T. R. McRoberts —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

S. R. 16. A Resolution authorizing the Pan-American Bridge Company, a corporation enacted under the laws of Indiana, to sue the State of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

WHEREAS, upon July 6, 1922, the State of Kentucky and its State Highway Commission entered into a contract with the Pan-American Bridge Company for the construction of a bridge over Levisa Fork of the Big Sandy River at or near Pikeville, Pike County, Kentucky, and,

WHEREAS, said Bridge Company did proceed under the orders and directions of the State of Kentucky, the State Highway Commission and agents of said State and Commission to perform said contract, and

WHEREAS, a controversy exists between parties as to whether the State owes the said Bridge Company any further sum on account of said contract, than the State has heretofore paid thereon, therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Pan-American Bridge Company be authorized and permitted to bring and prosecute a suit in the Franklin County Circuit Court or any other Court at Frankfort, Kentucky, of competent jurisdiction against the Commonwealth of Kentucky, State Highway Commission and the members thereof and the State Highway Engineer as such, under the style of the Pan-American Bridge Company against the Commonwealth of Kentucky, the State Highway Commission and said engineer, in order to settle said controversy and to determine whether or not there is due and unpaid to the said Bridge Company any further sum growing out of said contract, not to exceed the sum of fourteen thousand ($14,000.00) dollars.

§ 2. Either party to said suit may appeal from any judgment which may be rendered therein, as in other civil cases, and to such appellate courts as are provided by law. The controversy may be settled and adjusted in the same way as other civil cases.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	D. C. Bradley	James A. Campbell
U. G. Anderson	John Young Brown	Lee Clark
W. O. Baxter	J. Watt Brown	Bradley Combs
S. A. Blackburn	John R. Buckman	W. W. Cooper

Ben L. Cox	L. B. Hamilton	M. F. Moore
H. G. Crabtree	Rev. B. L. Hargrove	H. L. Nickell
James R. Dorman	Robt. L. Horn	Fred A. Nolte
S. J. Douthitt	C. E. Houk	Curtis F. Park
C. B. Dowling	R. L. Jackson	James I. Peters
W. C. Dugan	Grover C. Johnson	Dorsey Ratliff
Thomas Dunn	J. R. Johnston	D. O. Stanley
J. W. Edwards	Frank LeBus	Frank L. Strange
William A. Eimer	Martin Light	C. B. Truesdell
J. O. Evans	Fred V. Lucas	Dr. Vallandingham
Joseph B. Everhart	Joseph Martin	J. E. Walters
Virgil Eversole	James A. May	G. W. Wigginton
Kelly J. Francis	Geo. R. McIntosh	Robert Williams
John B. Furlong	Henry Meiman	
F. A. Gnau	Harry J. Meyers	—55

Those who voted in the negative were—

J. Roy Johnson	T. R. McRoberts	—2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table,

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 392. An Act entitled "An Act to establish as a part of the primary road system of the State of Kentucky, leading from Riceville, Fulton County, Kentucky, to Liberty Church, in said county; thence extending West to intersect with Hickman, Kentucky, and Union City, Tennessee Highway, in Fulton County, Kentucky."

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of the State of Kentucky, a road leading from Riceville, Fulton County, Kentucky, to Liberty Church, in said county; thence extending West to intersect with Hickman, Kentucky, and Union City, Tennessee, Highway, in Fulton County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said highway shall be subject to all the terms and conditions as provided by law for establishing and creating the primary road system of the State of Kentucky.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. Watt Brown	H. G. Crabtree
E. S. Allison	John R. Buckman	G. Cunningham
U. G. Anderson	Dr. R. A. Byers	William J. Curtis
William B. Ardery	James A. Campbell	Winn Davis
W. O. Baxter	Lee Clark	James R. Dorman
S. A. Blackburn	Bradley Combs	S. J. Douthitt
D. C. Bradley	W. W. Cooper	C. B. Dowling
John Young Brown	Ben L. Cox	W. C. Dugan

William A. Eimer	Theron M. Johnson	Andrew W. Nichols
Joseph B. Everhart	J. R. Johnston	H. L. Nickell
Kelly J. Francis	M. F. Jordan	Curtis F. Park
John B. Furlong	A. R. Kincheloe	James I. Peters
F. A. Gnau	John B. Klefot	John H. Pickett
L. B. Hamilton	Frank LeBus	W. E. Randall
H. G. Handmaker	Martin Light	Denny P. Smith
Rev. B. L. Hargrove	Fred V. Lucas	D. O. Stanley
Robt. L. Horn	H. R. Marquette	Elmer J. Terry
C. E. Houk	James A. May	J. A. Thompson
R. L. Jackson	Henry Meiman	C. B. Truesdell
Grover C. Johnson	B. T. Morris	J. E. Walters
J. Roy Johnson	F. Tyler Munford	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 412. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road from Horse Cave, Hart County, by way of Uno, Le Grand, Three Springs, Center and Sulphur Well to the Edmonton-Greensburg Road near Sulphur Well, Metcalfe County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a

road from Horse Cave, Hart County, by way of Uno, Le Grand, Three Springs, Center and Sulphur Well to the Edmonton-Greensburg Road near Sulphur Well in Metcalfe County.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 322. An Act establishing as a part of the Primary System of State Highways a road leading from Columbia in Adair County, to Russell Springs in Russell County and designated as Project No.—.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established as a part of the Primary System of the State Highways a road leading from Columbia in Adair County, to Russell Springs in Russell County and that the same be designated as Project No.—.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 397. An Act to establish a road from the Jefferson Davis Highway to the Dixie B. Line in Todd County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways of the Commonwealth of Kentucky, a road, from Tress's Shop on the Jefferson Davis Highway, in Todd County, Kentucky, to the Dixie B. Line, at a point near the Barclay McElwain place, in Todd County, Kentucky.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Bradley Combs	Kelly J. Francis
E. S. Allison	W. W. Cooper	John B. Furlong
U. G. Anderson	Ben L. Cox	F. A. Gnau
William B. Ardery	H. G. Crabtree	L. B. Hamilton
W. O. Baxter	G. Cunningham	H. G. Handmaker
S. A. Blackburn	William J. Curtis	Rev. B. L. Hargrove
D. C. Bradley	Winn Davis	Robt. L. Horn
John Young Brown	James R. Dorman	C. E. Houk
J. Watt Brown	S. J. Douthitt	R. L. Jackson
John R. Buckman	C. B. Dowling	Grover C. Johnson
Dr. R. A. Byers	W. C. Dugan	J. Roy Johnson
James A. Campbell	William A. Eimer	Theron M. Johnson
Lee Clark	Joseph B. Everhart	J. R. Johnston

M. F. Jordan	Henry Meiman	W. E. Randall
A. R. Kincheloe	B. T. Morris	Penny P. Smith
John B. Klefot	F. Tyler Munford	D. O. Stanley
Frank LeBus	Andrew W. Nichols	Elmer J. Terry
Martin Light	H. L. Nickell	J. A. Thompson
Fred V. Lucas	Curtis F. Park	C. B. Truesdell
H. R. Marquette	James I. Peters	J. E. Walters
James A. May	John H. Pickett	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 407. An Act to establish a road from a point near the farm of the L. P. Trabue estate, on the Jefferson Davis Highway, in Todd County, Kentucky, to the Dixie B. Line, known as the Davis Mill Road, in Todd County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky, a road from a point near the farm of the L. P. Trabue estate, on the Jefferson Davis Highway, in Todd County, Kentucky, to the Dixie B. Line, known as the Davis Mill Road, in Todd County, Kentucky.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 330. An Act establishing and designating the road known as the Leestown Pike, beginning at the city limits of Lexington, Kentucky, in Fayette county, thence to the Scott county line, a distance of 7.9 miles, a part of the Primary System of State Roads, to be known as State Primary Project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road known as the Leestown Pike in Fayette county, beginning at the city limits of Lexington, Kentucky, thence to the Scott couny line, a disance of 7.9 miles, be and the same is hereby designated as a part of the Primary System of State Roads, to be known as State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision, and control of said project shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of the General Assembly of 1920, establishing and creating a Primary System of State Roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 381. An Act establishing as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at a point in the Liberty and Somerset State Highway at or near the mouth of John Dave Hollow in Casey county, thence to Mt. Olive, thence to Eubanks in Pulaski County, and designating same State Road project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary Road System of the Commonwealth a road beginning at a point in the Liberty and Somerset road at or near the mouth of John Dave Hollow in Casey County, running thence to Mt. Olive, and thence to Eubanks in Pulaski County, a distance of approximately ten miles.

§ 2. That the construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts General Assembly of 1920, establishing and creating a Primary Road System of State Highways, and same shall be designated State Road project No. —.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 316. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Gradyville, Adair

County, Ky., leading to the Edmonton and Sulphur Well road, in Metcalfe County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established and created as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at Gradyville, Adair County, Kentucky, and leading to the Edmonton and Sulphur Well road via of East Fork, Metcalfe County, Kentucky, and connecting with the said Edmonton and Sulphur Well road, near Cork, Metcalfe County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	D. C. Bradley	Lee Clark
E. S. Allison	John Young Brown	Bradley Combs
U. G. Anderson	J. Watt Brown	W. W. Cooper
William B. Ardery	John R. Buckman	Ben L. Cox
W. O. Baxter	Dr. R. A. Byers	H. G. Crabtree
S. A. Blackburn	James A. Campbell	G. Cunningham

William J. Curtis	C. E. Houk	B. T. Morris
Winn Davis	R. L. Jackson	F. Tyler Munford
James R. Dorman	Grover C. Johnson	Andrew W. Nichols
S. J. Douthitt	J. Roy Johnson	H. L. Nickell
C. B. Dowling	Theron M. Johnson	Curtis F. Park
W. C. Dugan	J. R. Johnston	James I. Peters
William A. Eimer	M. F. Jordan	John H. Pickett
Joseph B. Everhart	A. R. Kincheloe	W. E. Randall
Kelly J. Francis	John B. Klefot	Denny P. Smith
John B. Furlong	Frank LeBus	D. O. Stanley
F. A. Gnau	Martin Light	Elmer J. Terry
L. B. Hamilton	Fred V. Lucas	J. A. Thompson
H. G. Handmaker	H. R. Marquette	C. B. Truesdell
Rev. B. L. Hargrove	James A. May	J. E. Walters
Robt. L. Horn	Henry Meiman	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 331. An Act establishing and designating the road known as Todd's Road, beginning at the intersection of Richmond road, about two miles from the City of Lexington, thence to the Clark County line, a part of the Primary System of State Roads, to be known as State Primary Project No.—.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road known as Todd's Road, beginning at the intersection of Richmond road, about two miles from

the city of Lexington, thence to the Clark county line in Fayette county, be and the same is hereby designated as a part of the Primary System of State Roads, to be known as State Primary Road Project No. —.

§ 2. The construction and maintenance and supervision and control of said project shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of the General Assembly of 1920, establishing and creating a Primary System of State Roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	H. G. Crabtree	Robt. L. Horn
E. S. Allison	G. Cunningham	C. E. Houk
U. G. Anderson	William J. Curtis	R. L. Jackson
William B Ardery	Winn Davis	Grover C. Johnson
W. O. Baxter	James R. Dorman	J. Roy Johnson
S. A. Blackburn	S. J. Douthitt	Theron M. Johnson
D. C. Bradley	C. B. Dowling	J. R. Johnston
John Young Brown	W. C. Dugan	M. F. Jordan
J. Watt Brown	William A. Eimer	A. R. Kincheloe
John R. Buckman	Joseph B. Everhart	John B. Klefot
Dr. R. A. Byers	Kelly J. Francis	Frank LeBus
James A. Campbell	John B. Furlong	Martin Light
Lee Clark	F. A. Gnau	Fred V. Lucas
Bradley Combs	L. B. Hamilton	H. R. Marquette
W. W. Cooper	H. G. Handmaker	James A. May
Ben L. Cox	Rev. B. L. Hargrove	Henry Meiman

B. T. Morris	James I. Peters	Elmer J. Terry
F. Tyler Munford	John H. Pickett	J. A. Thompson
Andrew W. Nichols	W. E. Randall	C. B. Truesdell
H. L. Nickell	Denny P. Smith	J. E. Walters
Curtis F. Park	D. O. Stanley	

—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 333. An Act establishing and designating the road known as Russell Cave Pike in Fayette county, beginning at the city limits of Lexington, Kentucky, and thence to the Bourbon county line, a distance of twelve and a quarter miles, a part of the Primary System of State Roads, to be known as State Primary Road Project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road known as Russell Cave Pike, in Fayette county, beginning at the city limits of Lexington, Kentucky, thence to the Bourbon county line, a distance of twelve and a quarter miles, be and the same is hereby designated as a part of the Primary System of State Roads, to be known as State Primary Road Project No. —.

§ 2. The construction, maintenance, supervision, and control of said project shall be subject to all the terms and conditions as set out and provided for in chapter 17, Acts of the General Assembly of 1920, establishing and creating a Primary System of State Roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	Tyler F. Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 433. An Act to establish as a part of the primary system of State Highways a road beginning at Corbin, Kentucky, and running to Mammoth Cave in Edmonson County, to be known and designated as the Hiram Brock Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways in this state a road beginning at Corbin, Kentucky, and running westward from said point by and crossing Cumberland River, at or near Cumberland Falls, then westward to Cumberland Falls Station in McCreary County, thence westward to Monticello in Wayne County, thence in a southwesterly direction to Albany in Clinton County, thence westward to Burkesville in Cumberland County, thence to Willow Shade, thence to Glasgow in Barren County, thence to Cave City, thence to Mammoth Cave in Edmonson County, the mileage of said road to be approximately 240 miles, and the same to be designated the Hiram Brock Highway.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 of the Acts

of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Mr. Lucas offered the following Amendment to said bill, viz.:

Amend S. B. 433 in Section 1, line 3 and 4 to start from London.

Said Amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Ben L. Cox	H. G. Handmaker
E. S. Allison	H. G. Crabtree	Rev. B. L. Hargrove
U. G. Anderson	G. Cunningham	Robt. L. Horn
William B. Ardery	William J. Curtis	C. E. Houk
W. O. Baxter	Winn Davis	R. L. Jackson
S. A. Blackburn	James R. Dorman	Grover C. Johnson
D. C. Bradley	S. J. Douthitt	J. Roy Johnson
John Young Brown	C. B. Dowling	Theron M. Johnson
J. Watt Brown	W. C. Dugan	J. R. Johnston
John R. Buckman	William A. Eimer	M. F. Jordan
Dr. R. A. Byers	Joseph B. Everhart	A. R. Kincheloe
James A. Campbell	Kelly J. Francis	John B. Klefot
Lee Clark	John B. Furlong	Frank LeBus
Bradley Combs	F. A Gnau	Martin Light
W. W. Cooper	L. B. Hamilton	Fred V. Lucas

H. R. Marquette	H. L. Nickell	D. O. Stanley
James A. May	Curtis F. Park	Elmer J. Terry
Henry Meiman	James I. Peters	J. A. Thompson
B. T. Morris	John H. Pickett	C. B. Truesdell
F. Tyler Munford	W. E. Randall	J. E. Walters
Andrew W. Nichols	Denny P. Smith	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 443. An Act to establish as a part of the Primary Road System of the State of Kentucky a road leading from a point where the Haddix bridge connects with the Jackson-Hazard Highway in Breathitt County, crossing the North fork of Kentucky River to the Haddix depot station.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby created and established as a part of Kentucky a road leading from a point where the Haddix bridge connects with the Jackson-Hazard Highway in Breathitt County, crossing the North fork of Kentucky River to the Haddix depot station.

Said road when established to be constructed, maintained, supervised and controlled in the same way, manner, terms and conditions as set out and provided for in Chapter

17, page 76, of the Acts of the General Assembly, dated 1920, establishing and creating a primary system of state roads and same shall be designated as project No. ——.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 436. An Act establishing as a part of the primary system of State Highways a road leading from Magnolia in LaRue County to Hodgenville in LaRue County, via by the South Fork Baptist Church, and Lincoln Memorial Farm, following as near as possible the present dirt road, same to be known as project No. —.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road leading from Magnolia in LaRue County to Hodgenville in LaRue County, via by the South Fork Baptist Church and Lincoln Memorial Farm, following as near as possible the present dirt road, same to be known as project No. —.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided herein.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 363. An Act establishing as a part of the primary system of State highways, a road from Somerset, Pulaski county, to Mt. Vernon, Rockcastle county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be established as a part of the primary road system of the State highway of the Commonwealth of Kentucky, a road beginning at the most practical point on what is known as the Swiss Colony Route of Somerset and London road as located and provided by the State Highway Commission on December 11th, 1928, and running to Mt. Vernon, Rockcastle county over the most practical route. Said point of beginning and route to be determined by the highway commission. The purpose of this act is to enable the highway commission to use a portion of said Swiss Colony Route of Somerset and London road as a double interseat route, from Somerset, Pulaski county to London, Laurel county and from Somerset, Pulaski County to Mt. Vernon, Rockcastle county.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in chapter 17 of the acts of the General Assembly of 1920, establishing and creating a primary system of State highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	S. J. Douthitt	Frank LeBus
E. S. Allison	C. B. Dowling	Martin Light
U. G. Anderson	W. C. Dugan	Fred V. Lucas
William B. Ardery	William A. Eimer	H. R. Marquette
W. O. Baxter	Joseph B. Everhart	James A. May
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	B. T. Morris
John Young Brown	F. A. Gnau	F. Tyler Munford
J. Watt Brown	L. B. Hamilton	Andrew W. Nichols
John R. Buckman	H. G. Handmaker	H. L. Nickell
Dr. R. A. Byers	Rev. B. L. Hargrove	Curtis F. Park
James A. Campbell	Robt. L. Horn	James I. Peters
Lee Clark	C. E. Houk	John H. Pickett
Bradley Combs	R. L. Jackson	W. E. Randall
W. W. Cooper	Grover C. Johnson	Denny P. Smith
Ben L. Cox	J. Roy Johnson	D. O. Stanley
H. G. Crabtree	Theron M. Johnson	Elmer J. Terry
G. Cunningham	J. R. Johnston	J. A. Thompson
William J. Curtis	M. F. Jordan	C. B. Truesdell
Winn Davis	A. R. Kincheloe	J. E. Walters
James R. Dorman	John B. Klefot	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 204. An Act to amend sections 3, 4, 4a, 9, 10, 11, 12, 16, 18, 20, 21, 24, 33, 39, 40, 42, 42b, 43, 51, 52, 53, 64 and 75 of an act entitled, "An Act to Provide An Elective System of Workmen's Compensation for Industrial Accidents," and known as Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky for the year 1916, and subsequent amendments thereto, said sections as amended and to be amended being known as sections 4882, 4883, 4884, 4890, 4891, 4892, 4893, 4897, 4899, 4901, 4902, 4905, 4914, 4920, 4921, 4923, 4925, 4926, 4934, 4935, 4936, 4947 and 4958 of Carroll's Kentucky Statutes, Sixth Edition, 1922.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 3 of said Act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 3. Whereas, at the time of the injury, both employer and employee have elected to furnish or accept compensation under the provisions of this act for a personal injury, received by an employe by accident and arising out of and in the course of his employment, or for death resulting from such injury, within two years thereafter, the employer shall be liable to provide and pay compensation under the provisions of this act and shall be released from all other liability whatsoever; where an injured employe having accepted the provisions of this act institutes a suit at common law for damages for such injury and is unsuccessful in the prosecution of said action, and then proceeds to prosecute his claim for compensation, and if an award or order for compensation is granted, the compensation board may reduce such award or order in any reasonable amount which said employer or his insurance carrier has paid as court costs in defending the common law action; provided, however, that if

injury or death result to an employe through the deliberate intention of his employer to produce such injury or death, the employe or his dependent, as herein defined, shall receive the amount provided in this act in a lump sum to be used, if they so desire, to prosecute the employer, and said dependents shall be permitted to bring suit against said employer for any amount they may desire; that if injury or death results to an employe through the deliberate intention of his employer to produce such injury or death, the employe or his dependents, as herein defined, shall have the privilege to take under this act, or in lieu thereof to have a cause of action at law against such employer as if this act had not been passed for such damages so sustained by the employe, his dependents or personal representatives as may be recoverable at law. If a suit is brought under the latter provision of this section, all right to compensation under the provisions of this act shall thereby be waived and void as to all persons, and if a claim is made for the payment of compensation or any other benefit provided by this act, all rights to sue the employer for damages on account of such injury or death shall thereby be waived and void as to all persons. Notwithstanding anything hereinbefore or hereafter contained, no employe or dependent of any employe shall be entitled to receive compensation on account of any injury to or death of an employe caused by a wilful self-inflicted injury, wilful misconduct or intoxication of such employe."

§ 2. That section 4 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 4. In addition to all other compensation herein provided, such medical, surgical and hospital treatment, including nursing, medical and surgical supplies and appliances, as may reasonably be required at the time of the injury and thereafter during disability, but not exceeding one hundred and twenty days nor exceeding a total expense to the employer of more than one hundred dollars on account of the

benefits provided by this section, unless the board shall, by order made within that time, direct an extension of said period of treatment or direct an extension of said limit of expense to not exceed two hundred dollars, to cure and relieve from the effects of the injury shall be furnished by the employer, and, in case of his refusal or neglect reasonably to do so, the employer shall be liable for the reasonable expense, within the limits of this section, incurred by or on behalf of the employe in providing the same. And, provided, further that the board may, in its discretion, also allow, at the employer's expense further hospital treatment not exceeding an additional two hundred dollars. In the event of an emergency, the employe shall have the right to call in any available physician or surgeon to administer such first aid as may be reasonably necessary at the expense of the employer within the limits of this section."

§ 3. That section 4a of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 4a. In all claims for hernia resulting from injury received in the course of and resulting from the employe's employment, it must be definitely proved to the satisfaction of the board:

"First: That there was an injury resulting in hernia.

"Second: That the hernia appeared suddenly and immediately following the injury.

"Third: That the hernia did not exist in any degree prior to the injury for which compensation is claimed.

"Fourth: That notice of the injury resulting in hernia was given the employer as soon as practicable after the happening thereof.

"In all such cases where liability for compensation exists, the employer shall provide competent surgical treatment by radical operation, the limits of benefits payable under section four hereof being increased to two hundred dollars in such cases, if the operation is performed. In case the

injured employe refuses to submit to the operation, the employer shall have the right to a medical examination as provided in section thirty-seven hereof. If it be shown by such examination that the employe has any chronic disease or is otherwise in such physical condition as to render it more than ordinarily unsafe to submit to such operation, he shall, if unwilling to submit to the operation, be entitled to compensation for disability under the general provisions of this act. If the examination does not disclose the existence of disease or other physical condition rendering the operation more than ordinarily unsafe, and the employe, with knowledge of the result of such examination, thereafter refuses to submit to such operation, he shall be entitled to compensation for disability under the general provisions of this act for not exceeding one year. If the employe submits to the operation he shall, in addition to the surgical benefits herein provided for, be entitled to compensation for his actual disability following such operation. If the hernia result in death within one year after it is sustained, or the operation result in death, such death shall be deemed a result of the injury causing such hernia and compensated accordingly under the provisions of this act. This paragraph shall not apply where the employe has refused to submit to an operation which has been found by the examination herein provided for not to be more than ordinarily unsafe.

§ 4. That section 9 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 9. Whenever an injury for which compensation is payable under this act, or death resulting from such injury, shall have been sustained under circumstances creating in some other person than the employer a legal liability to pay damages in respect thereto, the injured employe, or in case of death resulting from such injury the personal representative of such deceased employe, may at their option either claim compensation or proceed at law by civil action against

such other person to recover damages, or proceed both against the employer for compensation and such other person to recover damages, but they shall not collect from both, and if compensation is awarded under this act either the employer or his insurance carrier, having paid the compensation or having become liable therefor, shall have the right to recover in his or its own name or that of the injured employe, and in case of death resulting from such injury, in the name of the personal representative of the deceased employe, from the other person in whom legal liability for damages exists not to exceed the indemnity paid and payable to the injured 'employe,' or in case of death resulting from such injury the indemnity paid and payable to the dependents of said deceased employe or his personal representative."

§ 5. That section 10 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 10. The workmen's compensation board shall have the right, in their discretion, to destroy any file or record of a compensable injury or death, at any time after ten (10) years after the reporting thereof to the board, provided no proceedings relative to said accident, or any claim for compensation on account thereof, is then pending, either before the board or in any court of the Commonwealth."

§ 6. That section 11 of said act be repealed and re-enacted, so that when re-enacted the same shall read as follows:

"Sec. 11. A minor sixteen years of age or over or a minor between the ages of fourteen and sixteen years legally employed, or a minor under sixteen years of age who has procured his employment upon the written certification of his parent, guardian or one having legal authority over him, that he is over sixteen years of age, shall be deemed sui juris for the purpose of this act and no other person shall have cause of action or right to compensation for an injury to or the death of such minor employe or loss of service on account

thereof by reason of the minority of such employe. In the event of a lump sum of compensation to such minor employe, payments shall be made the guardian of such minor. The certificate of the parent, guardian or one having legal authority of a minor under sixteen years of age who procures his employment upon said written certification, shall read as follows:

"To (name of employer); this is to certify that (name of minor employe), of whom the undersigned is the ....., is over the age of sixteen (16) years. Signed this ..... day of .....

"Identification of such signature of the parent, guardian or person having legal authority over such minor employe shall constitute conclusive proof of such procurement of his employment in any hearing or proceeding in which the same may be material or in issue."

§ 7. That section 12 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 12. If death results within two years from an accident for which compensation is payable under this act, the employer or his insurer shall pay to the person entitled to compensation, or, if none, then to the personal representative of the deceased employe reasonable burial expenses of a person of the standard of living of the deceased, not to exceed the sum of $150.00 and shall also pay to or for the following persons compensation as follows, to-wit:

"(1) If there are no dependents, as herein defined, there shall be paid, in addition to the burial expenses and medical expenses, if any, otherwise provided for herein, the further sum of $100.00, payment to be made to the personal representative of the deceased employee.

"(2) If there are one or more wholly dependent persons 65 per cent. of the average weekly earnings of the deceased employe, but not to exceed $15.00 per week nor less than $8.00 per week if the average weekly wage is $12.00 per

week or more. However, if the average weekly wage is less than $12.00 per week, the minimum shall not be less than $5.00 per week; all such payments to be made for the period between the date of death and 300 weeks after the date of accident to the employee, or until the intervening termination of dependency, but in no case to exceed the maximum sum of $4,500.00.

"(3) If there are partly dependent persons, the payments shall be such part of what would be payable for total dependency as the partial dependency existing at the time of the accident to the employe may be proportionate to total dependency, and all such payments to be made for the period between the date of death and 300 weeks after the date of the accident to the deceased employe, or until the intervening termination of dependency, but in no case to exceed in the aggregate of compensation on account of such death the maximum sum of $4,500.00.

"Partial dependency shall be determined by the proportion of the earnings of the employe which have been contributed to such partial dependent during one year next preceding the date of injury; if the relation of partial dependency shall not have existed for one year next preceding the date of injury, the board shall consider all the facts and circumstances and fix such proportion as may be fair and reasonable thereunder.

"(4) All relations of dependency herein referred to shall be construed to mean dependency existing at the time of the accident to the employe.

§ 8. That section 16 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 16. When the injury causes total disability for work, the employer, during such disability except the first seven days thereof, shall pay the employe so injured a weekly compensation equal to sixty-five per cent. of his average weekly earnings, not to exceed $15.00 per week nor less than

$8.00 per week, if the average weekly wage is $12.00 per week or more. However, if the average weekly wage is less than $12.00 per week the minimum shall not be less than $5.00 per week, such payments to be made during the period of total disability but not longer than eight years after the date of the injury, nor in any case to exceed a maximum sum of six thousand dollars. In case the period of total disability begins after a period of partial disability, the period of partial disability, shall be deducted from the total period of eight years, during which compensation for total disability may be payable, and the payments made on account of such partial disability shall be deducted from the maximum of six thousand dollars. In case of the following injuries, the disability shall be deemed total and permanent, to-wit: (One) The total and permanent loss of sight in both eyes. (Two) The loss of both feet at or above the ankle. (Three) The loss of both hands at or above the wrist. (Four) A similar loss of one hand and one foot. (Five) An injury to the spine, resulting in permanent and complete paralysis of both arms or both legs, or of one arm and one leg. (Six) An injury to the skull resulting in incurable insanity or imbecility. The above enumeration is not to be taken as exclusive, but in all other cases the burden of proof shall be on the claimant to prove that his injuries have resulted in permanent total disability. Provided, however, that where the injury, combined with the results of a previous injury, causes total disability, as above set out, compensation shall be determined according to the further provisions of sections 20 of this act."

§ 9. That section 18 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 18. For injuries enumerated in the following schedule, the employee shall receive in lieu of all other compensation, except such as may be payable under sections 4 and 5 hereof, a weekly compensation equal to 65 per cent. of his average weekly earnings, but not to exceed $15.00 per week

nor less than $8.00 per week if the average weekly wage is $12.00 per week or more. However, if the average weekly wage is less than $12.00 per week, the minimum shall not be less than $5.00 per week for the respective periods stated thereon, to-wit:

"For the loss of a thumb, 65 per cent. of the average weekly wages during 60 weeks.

"For the loss of a first finger, commonly called the index finger, 65 per cent. of the average weekly wages during 45 weeks.

"For the loss of a second finger, 65 per cent. of the average weekly wages during 30 weeks.

"For the loss of a third finger, 65 per cent. of the average weekly wages during 20 weeks.

"For the loss of a fourth finger, commonly known as the little finger, 65 per cent. of the average weekly wages during 15 weeks.

"The loss of the second, or distal phalange, of the thumb shall be considered to be equal to the loss of one-half of such thumb; the loss of more than one-half of such thumb shall be considered to be equal to the loss of the whole thumb.

"The loss of the third or distal phalange, of any finger, shall be considered to be equal to the loss of one-third of such finger.

"The loss of the middle, or second phalange, of any finger shall be considered to be equal to the loss of two-thirds of such finger.

"The loss of more than the middle and distal phalanges of any finger shall be considered to be equal to the loss of the whole finger; provided, however, that in no case will the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

"For the loss of a metacarpal bone (bones of the palm). for the corresponding thumb, finger or fingers above, add ten weeks to the number of weeks as above.

"For ankylosis (total stiffness of) or contractures (due to sears or injuries) which make the fingers useless, the same number of weeks apply to such finger or fingers (not thumb) as given above.

"For the loss of a hand 65 per cent. of the average weekly wages during one hundred and fifty weeks.

"For the loss of an arm 65 per cent. of the average weekly wages during two hundred weeks.

"For the loss of one of the toes, other than the great toe, 65 per cent. of the average weekly wages during 10 weeks.

"For the loss of the great toe, 65 per cent. of the average weekly wages during 30 weeks.

"The loss of more than two-thirds of any toe shall be considered equal to the loss of the whole toe.

"The loss of less than two-thirds of any toe shall be considered to be equal to the loss of one-half toe. For the loss of a foot, 65 per cent. of the average weekly wages during 125 weeks.

"For the loss of a leg, 65 per cent. of the average weekly wages during 200 weeks, or the total and permanent loss of the sight of an eye, 65 per cent. of the average weekly wages during one hundred weeks.

"For total loss of hearing in one ear, fifty weeks, for total loss of hearing in both ears, one hundred and fifty weeks.

"Impairment or loss of occupational use of any of the foregoing members shall, in addition to compensation for the temporary total disability caused by such injury, entitle the employee to that proportion of the compensation payable for the total loss thereof which the percentage of impairment or loss of use of such member bears to its total loss, but not exceeding the amount of compensation payable for its total loss. In all other cases of permanent partial disability, including any disfigurement which will impair the future usefulness or occupational opportunities of the injured employee, compensation shall be determined according to the percentage of disability, taking into account, among other things,

any previous disability, the nature of the physical injury, or disfigurement, the occupation of the injured employee and age at time of injury; the compensation paid therefor shall be 65 per cent of the average weekly earnings of the employee, but not less than $5.00 nor less than $8.00, where the average weekly earnings are $12.00 or more nor more than $15.00, multiplied by the percentage of disability caused by the injury for such period as the Board may determine, not exceeding 300 weeks nor a maximum sum of $4,500.00. Whenever the weekly payments under this paragraph would be less than $5.00 per week, the period may be shortened and the payments correspondingly increased to that amount. Where compensation except as provided in sections four and five or this act, is paid under any other provision of this act the period during which such other compensation is paid shall be deducted from the maximum period which may be paid under this paragraph, but the amount so paid shall not be deducted from the maximum amount which may be paid under this paragraph."

§ 10. That section 20 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 20. The percentage of permanent disability caused by any injury shall be so computed as to cover the permanent disability caused by that particular injury without reference to any injury previously suffered or any permanent disability caused thereby."

§ 11. That section 21 of the said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 21. Upon its own motion or upon the application of any party interested and a showing of change of condition, mistake or fraud, the board may at any time within two years after the making thereof, or within the original period of the award if made for a less period than two years, review any award or order, ending, diminishing or increasing the

compensation previously awarded, within the maximum and minimum provided in this act, or change or revoke its previous order, sending immediately to the parties a copy of its subsequent order or award. Review under this section shall be had upon notice to the parties interested and shall not affect the previous order or award as to any sums already paid thereunder."

§ 12. That section 24 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 24. Compensation shall be computed at the average weekly wage earned by the employee at time of injury. Average weekly earnings shall be computed by dividing by 52 the annual earnings computed as follows:

"(a) If the employee is paid by the year, take his yearly wages at the time of the injury.

"(b) If the employee is paid by the month, multiply his monthly wages at the time of the injury by the number of months customarily worked in a year at the industry at which he was working at the time of the injury by employees of his grade and class of service.

"(c) If the employee is paid by the week, multiply his weekly wages at the time of the injury by the number of weeks customarily worked in a year at the industry at which he was working at the time of the injury by the employees of his grade and class of service.

"(d) If the employee is paid by the day, multiply his daily wage at the time of the injury by the number of days customarily worked in a year at the industry at which he was working at the time of the injury by employees of his grade and class of service.

"(e) If the employee is paid by the hour, multiply his hourly wage at the time of the injury by the number of hours customarily worked in a day at the industry at which he was working at the time of the injury by employees of his grade and class of service and then proceed as in (d).

"(f) If the employee is paid by his output, find his hourly wage at the time of the injury by dividing the total amount earned by him in the employment in which and at the rate of pay at which he was employed at the time of the injury during so much of the preceding thirty days next preceeding the injury, including the day of the injury, as he was so employed by the number of hours so employed during such thirty days; then proceed as in (e).

"(g) If any of the foregoing methods of arriving at the annual wages of an injured employee cannot reasonably and fairly be applied, such annual wages shall be taken to be the amount earned as wages by the average employee in the same or most similar grade and class of service in the same or most similar occupation as that in which the injured employee was working at the time of the injury; provided, however, that where, by reason of the workman's age, health or habits the application of the foregoing methods of computing average earnings does not fairly measure the probable wage loss that will result from the injury, such other methods may be resorted to as is best calculated to arrive at one fifty-second of the average annual amount which the workman would probably have earned after the time of the accident if he had remained uninjured.

"(h) The reasonable value of board, rent, housing, lodging and fuel which are received by the employee as a part of the remuneration from the employer and which can be estimated in money, shall be included as part of the annual wages.

"(i) In seasonal occupations for temporary disabilities lasting less than a year, the average weekly wages may be taken at the actual wage at the time of injury for the rest of the working season, and thereafter as such wages as may actually be earned by the average employee in the same or most similar grade or class of service in other industries furnishing temporary employment during the dull season. In seasonal occupations for all disabilities lasting more than a year, to the average annual wage which might be earned

during the working season in the industry at which the employee was engaged at the time of the injury shall be added the average annual wages which may be earned during the dull season by the average employee in the same or most similar grade or class of service in other industries furnishing temporary employment.

"(j) In determining the average weekly wages of an employee where the disability involved, whether it be temporary total, partial or specific is for less than one year and the injured employee has not been employed by a given employer for a sufficient length of time to establish his average weekly wages under any of the rules heretofore adopted by the Board, that period of employment and the wages received during such period by the employee which most nearly approximate or equal the probable period of disability, provided the employee has worked for a given employer continuously for at least two months, shall be reckoned as the basis for determining the earning capacity of such an employee and shall be used in computing his average weekly wages.

"(k) If the employee, at the time of the injury, is regularly employed in a higher grade of work or occupation than formerly during the year and with larger regular wages, only such higher grade of work or occuaption, if the same be not seasonal, shall be taken into consideration in computing his average weekly wages.

"(l) The term 'industry' whenever used in this section shall be construed to mean such industry for the state as a whole."

§ 13. That Section 33 of said act be repealed and re-enacted so that when re-enacted the same shall read as follows:

"Sec. 33. No proceeding under this act for compensation for an injury or death shall be maintained unless a notice of the accident shall have been given to the employer as soon as practicable after the happening thereof, but in no event unless given within sixty days excluding any time during

which the claimant is prevented from giving notice by unavoidable casualty or misfortune, and unless a claim for compensation with respect to such injury shall have been made within one year after the date of the accident, or, in case of death, within one year after such death, whether or not a claim has been made by the employee himself for compensation. Such notice and such claim may be given or made by any person claiming to be entitled to compensation or by some one in his behalf. If payments of compensation, as such, have been made voluntarily, the making of a claim within such period shall not be required, but shall become requisite following the suspension of such voluntary payments."

§ 14. That Section 39 of said act be repealed and re-enacted, so that when re-enacted the same shall read as follows:

"Sec. 39. A board is hereby created to be known as the 'Workmen's Compensation Board,' which shall consist of three members appointed by the Governor. Each member of the board shall hold office for four years and until his successor shall have been appointed and qualified, except that when the board is first created, one member shall be appointed for two years, one for three years and one for four years. Thereafter, upon the expiration of the term of any member, his successor shall be appointed for a full term of four years. The members of the board shall, on the first Tuesday in April of each year, elect one of their number as chairman of the board for the ensuing year, who shall be required to devote his full time to the duties of his office and shall, except when absent on the business of the board, maintain regular hours at the main office of the board in Frankfort at least two days per week during his chairmanship.

"Vacancies on the board shall be filled by appointment for the remainder of the unexpired term, but no vacancy shall impair the rights of the remaining members to exercise all the powers of the board nor shall relieve such members from discharging all the duties of the board during such vacancy."

§ 15. That Section 40 of said act be repealed and re-enacted, so that when re-enacted the same shall read as follows:

"Sec. 40. No person shall be eligible to appointment as a member of the board unless he shall be at least thirty years of age, a resident of Kentucky not less than three years consecutively next preceding his appointment, and of good moral character.

"No person accepting appointment as a member of the board and qualifying as such shall be eligible to become a candidate in any primary or general election for public office in this State until he shall have resigned from said board, and shall not be eligible to reappointment thereon during the remainder of the term from which he so resigns."

§ 16. That Section 42 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 42. The salary and expenses of the board shall be paid out of the Maintenance Fund provided for in Section 85 hereof; the annual salary of the Chairman of the board shall be $4,000.00 and the annual salary of each other member $3,500.00. The board may appoint a Secretary and an Actuary at an annual salary of $3,500.00 each and an Assistant Secretary at an annual salary of $2,400.00 and a Statistician at an annual salary of $2,100.00, and two Referees at salaries of not more than $2,400.00 each, and may appoint such other employees as are necessary to the proper administration of this act at salaries to be fixed by the Board and approved by the Governor. The Actuary shall also act as a Referee when not engaged in the other duties of his office. Provided, however, that such salaries shall in no case exceed $175.00 to any stenographer or $125.00 per month to any other employe. The board may at any time remove any of its appointees upon filing with the Secretary of State a full written statement of its reasons for such removal; provided, however, that the limit upon the number of Referees and the increase in their

salaries to $2,400.00 shall not become effective until April 1st, 1932."

§ 17. That Section 42b of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 42b. The board and their employes or authorized representatives shall, for such traveling as is necessitated by the discharge of their official duties, be allowed transportation actually paid for, not exceeding the regular fare over the most direct route, and meals and lodging actually paid for, not exceeding eight dollars per day."

§ 18. That Section 43 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 43. The board shall keep and maintain its main office at Frankfort, Kentucky, and shall be authorized, subject to the approval of the Commissioners of the Sinking Fund, to rent suitable quarters for that purpose where same are not furnished by the State; the board shall also be authorized to keep and maintain two other branch offices elsewhere in the State, the rent of all offices not furnished by the State to be payable out of the maintenance fund. Necessary office furniture shall be provided the board, to be paid out of the State Treasury. The board shall provide necessary supplies, books, periodicals and maps and shall provide itself with a seal for the authentication of its orders, awards or proceedings, on which shall be inserted the words 'Workmen's Compensation Board, State of Kentucky, Official Seal.' The board may hold sessions at any place within the State where necessary and shall have power to sue or institute legal proceedings in any court of the Commonwealth, under existing laws as to jurisdiction of actions; unless consented to by the board, all actions or proceedings against it or a member thereof in his official capacity as such, shall be brought in the courts of the county of Franklin."

§ 19. That Section 51 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 51. If an application for review is made to the board within twenty days from the date of the award, the board shall review the evidence, or if deemed advisable, as soon as practicable, hear the parties at issue, their representatives and witnesses and shall make an award and file the same in like manner as specified in the foregoing section.

"If a party introduce at a hearing before the full board a witness whose testimony at the original hearing appears in the transcript of evidence taken thereat, the costs accruing through the attendance of such witness and the transcribing of this testimony at the second hearing shall be borne by the party introducing him at such hearing, regardless of the outcome of the controversy.

"All motions for review shall state fully the grounds therefor, and review shall be limited to the grounds stated therein. In all cases where review of an award of compensation aggregating more than $1,000.00 is asked, either party in interest shall be entitled to require the same to be heard upon oral argument before not less than two members of the board, such hearing to be conducted at the board's main office or at such other place as the board may designate. The board shall adopt and promulgate suitable rules of procedure covering reviews and oral arguments."

§ 20. That Section 52 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 52. An award, or order of the board, as provided in Section 50, if application for review be not filed as therein provided, or an award or order of the board upon review as provided in Section 51, shall be conclusive, and binding as to all questions of fact, but either party may, within thirty days after the rendition of such final order or award of the board, by petition appeal to the circuit court that would have juris-

diction to try an action for damages for said injuries if this act had not passed, for the review of such order or award, the board and the adverse party being made respondents. Such petition shall state fully the grounds upon which a review is sought, assign all errors relied on and shall be verified by the petitioner, who shall furnish copies of the petition to the respondents at the time of filing same, and such filing of the petition within thirty days shall perfect the appeal.

"Summons shall issue upon the petition, directing the adverse party to file answer within fifteen days after service thereof and directing the Secretary of the Board to certify its complete record of the case to the court, or, in lieu thereof, and if consented to by the petitioner and adverse party, an abstract of the record prepared in the same manner as hereinafter provided for appeals to the Court of Appeals.

"No new or additional evidence may be introduced in the circuit court, except as to the fraud or misconduct of some person engaged in the administration of this act, and affecting the order, ruling or award, but the court shall otherwise hear the cause upon the record or abstract thereof as certified by the board, and shall dispose of the cause in summary manner, its review being limited to determining whether or not:

"1. The board acted without or in excess of its powers.

"2. The order, decision or award was procured by fraud.

"3. The order, decision or award is not in conformity to the provisions of this act.

"4. If findings of fact are in issue, whether such findings of fact support the order, decision or award.

"The board and each party shall have the right to appear in such review proceedings; the court shall enter judgment affirming, modifying or setting aside the order, decision or award, or in its discretion remanding the cause to the board for further proceedings in conformity with the direction of the court. The court may, in advance of judg-

ment and upon a sufficient showing of fact, remand the cause to the board.

"In circuit courts not of continuous session, the judge of such court may, upon the application of either party, assign such review proceedings to be heard before him during vacation, upon not less than ten days notice to the adverse party or parties."

§ 21. That Section 53 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 53. Where an amount sufficient under existing laws to authorize an appeal to the Court of Appeals is involved, the judgment of the circuit court shall be subject to appeal to the Court of Appeals, the scope of whose review shall include all matters herein made the subject of review by the circuit court and also errors of law arising in the circuit court and upon appeal made reviewable by the Civil Code of Procedure where not in conflict with the provisions of this act. The procedure as to appeal to the Court of Appeals shall be the same as in equity actions, so far as same may be applicable to and not in conflict with the provisions of this act, except as follows:

"The party desiring a review by the Court of Appeals of any judgment of the circuit court shall cause to be prepared by the clerk of the circuit court a record of the proceedings in that court, other than the transcript of the record of proceedings certified thereto by the Workmen's Compensation Board, and shall file the same with the clerk of the Court of Appeals within sixty days after the date of final entry of the judgment appealed from, and within said period the circuit clerk shall transmit by registered mail or express to the Court of Appeals the original transcript of the board's record upon which the review proceedings were heard in the circuit court. No charge shall be made by the Clerk of the Circuit Court for such original transcript other than the actual cost of transmitting same to the Court of Appeals. Upon the receipt of

such transcript, the Clerk of the Court of Appeals shall docket the appeal in the same manner as other civil actions.

"The clerk of the circuit court shall transmit to the Court of Appeals as the transcript of the record only those portions of the record in the lower court which are designated by the parties as above provided. The parties, or their counsel, may, however, agree by written stipulation to be filed with the clerk of the circuit court, the portions of the record which shall constitute the transcript of record on appeal, and the clerk in such case shall transmit only the papers designated in such stipulation."

§ 22. That section 63 of the Act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 63. Every employer under this act shall either insure and keep insured his liabiliy for compensation hereunder in some corporation, association or organization authorized to transact the business of Workmen's Compensation Insurance in this State, or shall furnish to the board satisfactory proof of his financial ability to pay direct the compensation in the amount and manner and when due as provided for in this act. In the latter case, the board shall require the deposit of an acceptable security, indemnity or bond to secure to such an extent as the board may direct, the payment of compensation liabilities as they are incurred. Every employer accepting the provisions of this act shall at the time of such acceptance file with the board in substantially the form prescribed by it, and annually thereafter, or as often as may be necessary, evidence of his compliance with the provisions of this section and all others relating thereto.

"Whenever an employer files acceptance of the act and insures his compensation liability in some corporation, association or organization authorized to transact the business of workmen's compensation insurance in this State and obtains authority to operate under the provisions of this act shall thereafter allow or permit his insurance contract to lapse or

be cancelled for any cause, the board may, upon at least thirty days' notice and hearing to the employer, revoke the certificate authorizing said employer to operate under the act and after said order of the board has been entered in its journal, the said employer shall have no further right under said act until and unless he files a new acceptance with the board and authorized to operate under said act. Where an employer has permitted or allowed said insurance contract to be cancelled or lapse and until his certificate to operate under the act is cancelled, the employer shall be liable to an employe either for compensation under this act at law in the same manner as if the employer had refused to accept the provisions of this act. Claim for compensation in such cases shall be deemed a waiver of the right to proceed at law and the institution of an action at law shall be deemed a waiver of all claim to compensation."

§ 23. That Section 64 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 64. Whenever an employer has complied with the provisions of Section 63, relating to self-insurance, the board shall issue to such employer a certificate which shall remain in force for a period fixed by the board, but the board may, upon at least thirty days' notice and hearing to the employer, revoke the certificate upon satisfactory evidence for such revocation having been presented. The board may thereafter, upon petition of the employer and a hearing, grant a new certificate, but the employer shall not, as a matter of right, be entitled to a hearing for this purpose sooner than six months after a previous revocation of his certificate.

"Authorization to make payments of compensation direct may be granted either as to the employer's entire risk, or as to such part or class thereof as the board may direct in its certificate. In the latter case the board shall determine the extent to which and the manner in which the remainder of his said risk shall be insured. Any employer authorized to make

payments of compensation direct may, for his own protection, independently insure the whole or any part or character of such payments."

§ 24. That Section 75 of said act be repealed and re-enacted, so that when re-enacted said section shall read as follows:

"Sec. 75. All such notices of election by employes shall, when executed, be preserved by the employer during the continuation of the employment of those employes whose names are subscribed thereto, and every employer operating under the provisions of this act on or before July 1, 1930, shall furnish to the Workmen's Compensation Board, at its main office in Frankfort, Kentucky, on forms provided by the board, duplicate copies of notices of election by all employes who have elected to accept the provisions of this act. It shall be the duty of the employer after July 1, 1930, to furnish the Compensation Board on or before the 15th day of each succeeding month duplicate copies of notices of election of all employes accepting the provisions of the act during the preceding month. Any person who shall, with fraudulent intent, wilfully destroy, convert or secrete any such notice, or wilfully deprive the owner or his agent thereof, or erase or obliterate any part thereof; or any employer who wilfully fails to furnish the Compensation Board with duplicate copies of the employe's election accepting the provisions of this act, shall be guilty of a misdemeanor and upon conviction be punished by a fine of not less than $50.00 nor more than $200.00, or imprisonment for not less than ten days nor more than ninety days, in the discretion of the jury."

§ 25. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Handmaker offered the following amendments to said bill, viz.:

Amend S. B. 204 by striking out of the printed bill paragraph 17 on page 17.

Amend S. B. 204 by striking from page 16 of the printed bill in paragraph 16, lines 7, 8 and 9 the following "and an Actuary," also "each and an Assistant Secretary at an annual salary of twenty-four hundred dollars ($2400.00) and a Statistician at an annual salary of twenty-one hundred dollars ($21,000.00)" also in lines 12 and 13 the following: "the Actuary shall also act as a referee when not engaged in other duties of his office."

Mr. Francis moved that said amendment be tabled.

Said motion was disagreed to.

Said Amendments were disagreed to.

Mr. Gnau offered the following amendment to said bill, viz.:

Amend S. B. 204 Section 12, line 78 by adding to said section the following:
"but in no event shall compensation be computed on a basis of less than three days' employment per week."

Said amendment was disagreed to.

Mr. Via offered the following Amendment to said bill, viz.:

Amend S. B. 204 by striking from line 4, Section 14, page 15 of the printed bill, the word "three" and inserting the word "four" and by striking out the period after the word Governor in line 5 of Sec. 14, page 15 and inserting the words "No more than two of said members shall be of the same political party" and by striking out the word one in line 7 of sec. 14 on page 15 of printed bill the word "one" and inserting in lieu thereof the word "two" and adding "s" to the word "member."

Said amendment was disagreed to.

Mr. LeBus moved that S. B. 204 be made a Special Order for tonight at 8 P. M.

Said motion was disagreed to.

Mr. Meyers offered the following Amendment to said bill, viz.:

Amend S. B. 204 by striking therefrom Section 12 in its entirety.

Said amendment was agreed to.

The yeas and nays being required thereon by Messrs. Meyers and Nichols were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	John B. Furlong	B. T. Morris
W. O. Baxter	Ralph Gilbert	F. Tyler Munford
John Young Brown	Robt. L. Horn	Andrew W. Nichols
John R. Buckman	Grover C. Johnson	H. L. Nickell
James A. Campbell	J. Roy Johnson	John H. Pickett
W. W. Cooper	Theron M. Johnson	W. E. Randall
Ben L. Cox	John B. Klefot	D. O. Stanley
H. G. Crabtree	Martin Light	Elmer J. Terry
G. Cunningham	Fred V. Lucas	E. J. Thomas
Winn Davis	H. R. Marquette	J. A. Thompson
James R. Dorman	B. K. Marshall, Jr.	Thomas H. Troxel
C. B. Dowling	Joseph Martin	Speed H. Tye
W. C. Dugan	T. R. McRoberts	J. D. Via
Thomas Dunn	Henry Meiman	J. E. Walters
J. O. Evans	Harry J. Meyers	G. W. Wigginton
Joseph B. Everhart	M. F. Moore	Robert Williams

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Those who voted in the negative were—

F. B. Adcock	Bradley Combs	Curtis F. Park
E. S. Allison	Kelly J. Francis	James I. Peters
S. A. Blackburn	F. A. Gnau	L. M. Weathers
D. C. Bradley	Frank LeBus	
Lee Clark	James A. May	—13

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

E. S. Allison	J. O. Evans	Andrew W. Nichols
William B. Ardery	Virgil Eversole	H. L. Nickell
W. O. Baxter	John B. Furlong	Fred A. Nolte
S. A. Blackburn	H. G. Handmaker	John H. Pickett
John Young Brown	C. E. Houk	W. E. Randall
John R. Buckman	Grover C. Johnson	D. O. Stanley
James A. Campbell	J. Roy Johnson	Frank L. Strange
Lee Clark	Theron M. Johnson	Elmer J. Terry
Bradley Combs	John B. Klefot	E. J. Thomas
Leonard Cook	Frank LeBus	J. A. Thompson
W. W. Cooper	Martin Light	Thomas H. Troxel
Ben L. Cox	Fred V. Lucas	H. Speed Tye
G. Cunningham	H. R. Marquette	Dr. Vallandingham
Winn Davis	Joseph Martin	J. D. Via
James R. Dorman	James A. May	J. E. Walters
W. C. Dugan	Henry Meiman	G. W. Wigginton
Thomas Dunn	Harry J. Meyers	Robert Williams
J. W. Edwards	M. F. Moore	
William A. Eimer	B. T. Morris	—55

Those who voted in the negative were—

D. C. Bradley	Ralph Gilbert	M. F. Jordan
Elmer Cook	F. A. Gnau	L. M. Weathers
Kelly J. Francis	R. L. Jackson	—8

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing they had passed a bill which originated in this House, entitled:

H. B. 553. An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission of Kentucky with reference thereto.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 379. An Act to amend and re-enact Section 911 of Kentucky Statutes, 1930 Edition, being Chapter 157 of the Acts of the General Assembly of 1928.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 911 of the Kentucky Statutes, 1930 Edition, being Chapter 157 of the Acts of the General Assembly of

1928, be amended and re-enacted so that when said section as so amended and re-enacted shall read as follows:

"The official indexer appointed as aforesaid shall receive for his services a sum fixed by the judges appointing and confirming him not exceeding the constitutional limitation, and said indexer may appoint his own assistants subject to the approval of the county judge but their compensation shall be fixed by the official indexer with the approval of the county judge and such compensation shall be paid as the salary of the county judge is paid; Provided, however, that at no time shall the total expense annually under this act, exceed the sum of sixteen thousand five hundred dollars ($16,500.00). This shall apply only to counties having cities of the first class."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	H. G. Crabtree	L. B. Hamilton
E. S. Allison	G. Cunningham	H. G. Handmaker
U. G. Anderson	Winn Davis	Rev. B. L. Hargrove
W. O. Baxter	James R. Dorman	Robt. L. Horn
S. A. Blackburn	W. C. Dugan	C. E. Houk
John R. Buckman	William A. Eimer	R. L. Jackson
James A. Campbell	Joseph B. Everhart	J. Roy Johnson
Bradley Combs	Virgil Eversole	Frank LeBus
Elmer Cook	Kelly J. Francis	Martin Light
W. W. Cooper	John B. Furlong	Fred V. Lucas
Ben L. Cox	F. A. Gnau	H. R. Marquette

Joseph Martin	Curtis F. Park	C. B. Truesdell
James A. May	J. D. Patton	H. Speed Tye
Henry Meiman	John H. Pickett	Dr. Vallandingham
B. T. Morris	John W. Preston	J. D. Via
H. L. Nickell	Frank L. Strange	J. E. Walters
Fred A. Nolte	Elmer J. Terry	G. W. Wigginton
Caleb A. Page	E. J. Thomas	Robert Williams

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Those who voted in the negative were—

Leonard Cook	M. F. Jordan	D. O. Stanley
J. O. Evans	T. R. McRoberts	
Ralph Gilbert	James I. Peters	

—7

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 383. An Act amending Chapter 31 of the Acts of the General Assembly of 1920, relating to the practice of Optometry and providing for a renewal Registration fee, and providing for the revocation by the State Board of Health of Optometrist's license for practising as an intinerant, peddling, or practising outside of established offices.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 31 of the Acts of the General Assembly of 1920 be and the same is hereby amended by the addition thereto, Sections 5 and 6, to read as follows:

Section 5. Each Optometrist holding a certificate from the State Board of Health to practice in the Commonwealth of Kentucky shall annually during the month of July, if he desires to continue in such practice, pay to the Secretary of the State Board of Health a renewal fee to be fixed by the Board not to exceed Ten ($10.00) dollars, for which he shall receive a renewal of said certificate. Any Optometrist who shall fail or neglect to procure his annual renewal of certificate or to comply with other provisions of this Section shall forfeit his right to practice Optometry in the State, at the expiration of sixty (60) days from the time notice of such failure to comply with the provisions of this Section shall have been mailed to his last address by the Secretary of the State Board of Health. All renewal fees collected by the State Board of Health under this Section shall be paid into the State Treasury and expended by the State Board of Health for the enforcement of all laws and regulations pertaining to the practice of Optometry upon the recommendation of and in cooperation with the Examiners in Optometry provided for in section 2618-a-1.

Section 6. The State Board of Health is hereby authorized to revoke upon sixty (60) days notice and after a fair and impartial hearing, the certificate of any Optometrist found guilty of practicing as an itinerant or peddling from door to door, or the establishment of temporary offices, or the practice of Optometry outside or away from his regular office or place of business. Holders of Optometrist's certificate may, however, establish a branch office or offices provided each such branch office be fully equipped with the instruments necessary to make an optometric examination and is in charge of an Optometrist holding a certificate authorizing him to practice.

Mr. Park offered the following Amendment to said bill, viz.:

Amend S. B. 383 by striking out the word and figures

"Ten (10) Dollars" in line 8, page 1 printed bill and substitute therefor $1.00."

Mr. G. C. Johnson moved that said Amendment be laid on the table.

Said motion was disagreed to.

Said Amendment was then disagreed to.

Mr. Terry moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Terry and Houk were as follows, viz.:

Those who voted in the affirmative were—

J. Watt Brown	Grover C. Johnson	James I. Peters
James A. Campbell	J. Roy Johnson	John W. Preston
Lee Clark	Fred V. Lucas	D. O. Stanley
Leonard Cook	Joseph Martin	Elmer J. Terry
W. W. Cooper	T. R. McRoberts	E. J. Thomas
Ben L. Cox	M. F. Moore	J. A. Thompson
C. B. Dowling	B. T. Morris	Thomas H. Troxel
W. C. Dugan	Caleb A. Page	H. Speed Tye
L. B. Hamilton	Curtis F. Park	J. D. Via
Rev. B. L. Hargrove	J. D. Patton	G. W. Wigginton

—30

Those who voted in the negative were—

S. A. Blackburn	William A. Eimer	H. G. Handmaker
D. C. Bradley	J. O. Evans	Robt. L. Horn
John Young Brown	Joseph B. Everhart	C. E. Houk
John R. Buckman	Kelly J. Francis	R. L. Jackson
Bradley Combs	John B. Furlong	Theron M. Johnson
James R. Dorman	Ralph Gilbert	M. F. Jordan
J. W. Edwards	F. A. Gnau	A. R. Kincheloe

Frank LeBus	F. Tyler Munford	C. B. Truesdell
Martin Light	H. L. Nickell	Dr. Vallandingham
H. R. Marquette	Fred A. Nolte	J. E. Walters
James A. May	John H. Pickett	Robert Williams
Henry Meiman	Denny P. Smith	—35

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Joseph B. Everhart	James A. May
William B. Ardery	Kelly J. Francis	Henry Meiman
W. O. Baxter	John B. Furlong	Harry J. Meyers
S. A. Blackburn	Ralph Gilbert	Clarence Miller
D. C. Bradley	F. A. Gnau	M. F. Moore
John Young Brown	H. G. Handmaker	F. Tyler Munford
John R. Buckman	C. E. Houk	H. L. Nickell
Bradley Combs	R. L. Jackson	Fred A. Nolte
W. W. Cooper	Theron M. Johnson	John H. Pickett
Ben L. Cox	M. F. Jordan	Denny P. Smith
Winn Davis	A. R. Kincheloe	Frank L. Strange
James R. Dorman	John B. Klefot	C. B. Truesdell
W. C Dugan	Frank LeBus	Dr. Vallandingham
J. W. Edwards	Fred V. Lucas	J. E. Walters
William A. Eimer	H. R. Marquette	L. M. Weathers
J. O. Evans	B. K. Marshall, Jr.	—47

Those who voted in the negative were—

J. Watt Brown	Martin Light	E. J. Thomas
James A. Campbell	Joseph Martin	Thomas H. Troxel
Leonard Cook	T. R. McRoberts	H. Speed Tye
C. B. Dowling	Caleb A. Page	J. D. Via
L. B. Hamilton	Curtis F. Park	G. W. Wigginton
J. Roy Johnson	J. D. Patton	—17

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bill which originated in this House entitled:

H. B. 467. An Act to amend and re-enact Sec. 1 of chapter 106, on page 535 of the Acts of 1920 which was neither approved nor disapproved by the Governor, said Sec. 1 of chapter 106 being subsec. 10 (1) of Section 3704 of the Kentucky Statutes.

With an Amendment thereto by way of Substitute therefor.

(For bill see House Journal of March 11)

Said Substitute is as follows, viz.:

H. B. 467. An Act relating to public toll ferries and brides, providing for supervision, regulations, limitations, and restrictions upon the operation of such ferries and bridges operating on or connecting with any state maintained highways embraced in the state primary road system of this Commonwealth; defining "bridge companies" and "ferry companies;" defining "toll bridges" and "toll ferries;" providing for control and regulation of operation, and for fixing rates of tolls over such bridges and ferries, by the State Highway Commission or its successors; providing for the licensing and collection of fees from such bridge companies

and ferry companies, and further providing for the enforcement of the provisions of this act and penalties for violations thereof; and withdrawing previous grants and franchises and repealing all acts and parts of acts and laws in conflict herewith to the extent of such conflict.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. (a) The term "corporation" when used in this act shall be construed to mean a corporation, company, association, or joint company.

(b) The term "person" when used in this Act shall be construed to mean an individual, corporation, firm, or a copartnership.

(c) The term "commission" when used in this act shall be construed to mean the State Highway Commission of the Commonwealth of Kentucky, or such body or board that may succeed to the powers and duties now held by the State Highway Commission.

(d) The term "bridge company" or "ferry company" when used in this act shall be construed to mean every corporation, person, firm, or association of persons, their lessees, receivers, or trustees, however appointed, owning, controlling, operating, or managing any toll bridge or toll ferry used in the business of transporting persons for compensation over navigable or other streams in this Commonwealth, which toll bridge or toll ferry is operated over or connects with any state maintained highway embraced in the state primary road system of this Commonwealth, which toll bridge or toll ferry is located or operated entirely within this Commonwealth; and the terms "toll bridge" and "toll ferry," as used herein, shall be construed to mean bridges or ferries so operated by such bridge companies or ferry companies for compensation or for tolls.

§ 2. No corporation or person, their lessees, receivers, or trustees, however appointed, shall operate any such toll

bridge or toll ferry for the transportation of persons for compensation over any stream, which toll ferry or toll bridge is to be operated over or to connect with any state maintained highway embraced in the state primary road system of this Commonwealth except in accordance with the provisions of this act.

§ 3. The Commission is hereby vested with power and authority and it is hereby made its duty to grant certificates of convenience and necessity to operate and supervise and regulate, and fix rates to be charged by every toll bridge company and every toll ferry company in this State, when it is made to appear to the Commission that the public convenience and necessity requires the operation of such bridge or ferry; to fix any classifications, rules and regulations and control of such companies as it may deem necessary, in addition to those imposed under the provisions of this act; to regulate the services and the hours of service and the safety of operation of each such bridge and ferry company; to fix, alter and regulate the rates of toll to be charged by such companies; to require the filing of annual or other reports and of any other data of such bridge or ferry companies in all matters affecting the relationship between such companies and the traveling public. The Commission may at any time by its order duly entered, after hearing had upon ten days' notice to the operators of any bridge or ferry company and a reasonable opportunity to such operators to be heard, at which it shall appear that such holder of a certificate of convenience and necessity for the operation of a bridge or ferry, or both, without good cause has violated or refused to observe any of the orders, rules, or regulations of the commission, suspend, revoke, alter, or amend any certificate issued under the provisions of this act. It shall be the duty of any such bridge and/or ferry company to comply with every order, rule, and regulation of the Commission until the same shall be modified or set aside by the Commission, or by the courts upon appeal as provided for in Section 5 of this act, and until

there has issued a final order of the court modifying or setting aside such order or regulation of the Commission.

§ 4. No bridge company or ferry company shall hereafter operate a toll bridge or toll ferry for the transportation of persons for compensation over any stream in this Commonwealth which toll bridge or toll ferry connects with a state maintained highway embraced in the state primary road system of this Commonwealth without first having obtained from the Commission, under the provisions of this act, a certificate of convenience and necessity declaring that the public convenience and necessity requires such operation, excepting and excluding such toll bridge companies and toll ferry companies as hold perpetual and irrevocable franchises for such operation, and such companies shall be subject to all of the other provisions of this act.

§ 5. In all matters in which the Commission has power and authority under this act, it may hear applications and complaints, issue subpoenas and compel the attendance of witnesses and require persons to testify under oath, administer oaths, issue processes, orders, opinions and decisions, but from each decision, order and/or regulation of the Commission an appeal may be taken to the circuit court of Franklin County, and an appeal may be taken from said circuit court to the Court of Appeals, provided that such appeals to the circuit court shall have precedence of all other cases pending and such appeals to the Court of Appeals shall have precedence over all other appeals pending, and further providing that the proceeding had before the Commission and the evidence heard before it shall be certified to the circuit court when an appeal is taken and no other evidence shall be heard by the circuit court or the Court of Appeals.

§ 6. Neither this act nor any provision authorized shall apply or be construed to apply to commerce with foreign nations or commerce among the several states of this union or business conducted for the United States government, except insofar as the same may be permitted under the provi-

sions of the Constitution of the United States and the acts of Congress.

§ 7. Every person, firm, or corporation procuring a certificate of convenience and necessity hereunder shall, at the time of application for such certificate and annually thereafter, on or before the first day of March, under the oath of the person constituting such company, if it be a person, or under the oath of the president, secretary, treasurer, superintendent, or manager of such assocation or corporation, if it be an association or corporation, make and file with the Commission a statement in such form as the Commission may prescribe.

§ 8. The statement provided for in the preceding section shall, in addition to any other information required by the commission contain: (1) The name of the company; (2) the nature of the company, whether a person or persons, association or corporation, and under the laws of what state organized; (3) the location of its principal office; (4) the names and post office addresses of the president, secretary, auditor, treasurer, superintendent, or manager; (5) the name and post office address of the chief officer or managing agent of the company in this state; (6) the location of the termini between which it transacts its ferry or bridge business; (7) the number and capacity of boats or other vehicles owned and used by any ferry company and the width of driveway of the bridge or bridges used; (8) the schedule of hours of service and trips made; (9) the schedule showing the rates to be charged and the classification of patrons by rates.

§ 9. Whenever any bridge or ferry company shall apply to the commission for a certificate of convenience and necessity to operate, the applicant shall give notice of the filing of said application by publication made once a week for two weeks immediately prior to the date set for said hearing in a newspaper of general circulation published in the locality in which the applicant proposes to operate. The commission

shall after the filing of such application, fix a date within thirty days for the hearing upon same.

§ 10. Except as otherwise expressly provided, it shall be unlawful for any bridge company or ferry company, as defined in this act, to operate in this state over any bridge or stream other than that provided for in the certificate granted by the commission; or to fail or refuse to operate thereon in the manner and at the time specified in the certificate; except in case of emergency due to the act of God or unavoidable accident or in case it becomes necessary to make temporary detours; and it shall be unlawful for any such company to neglect or refuse to comply with and obey any and all regulations and orders of the commission and other statutory laws and regulations of the State of Kentucky governing and applying to bridges and ferries.

§ 11. Immediate notice in writing shall be given to the commission of accidents which shall result in the loss of life or when an injury is of a serious nature; and whenever by reason of accident, disability or breakdown, operation of such ferry or bridge business pursuant to the schedule filed with the commission and in compliance with the conditions prescribed by this act is impossible, it shall be the duty of the owner or person or persons or association or corporation unlawfully in possession thereof to make arrangements for making available a substitute way to take the place of said bridge or ferry in order that the schedule may be maintained.

§ 12. In all cases of interruption to the regular service of bridges and ferries, where such interruptions have continued or are likely to continue over a period of more than twenty-four hours, written, telephonic or telegraphic notices shall be given to the commission of the character, cause and probable duration of the same, and of the arrangements made or in progress for making available a substitute crossing as provided herein.

§ 13. Representatives of the State Highway Commission are authorized at any and all times and places to make

inspection under the provisions of this act. They shall have the right to enter into and upon any bridge or ferry to which this act is applicable for the purpose of ascertaining whether or not the provisions of this act, the rules and regulations of the commission, or any of them, have been violated; wilful refusal of the operator of any such toll bridge or ferry to permit such representative to enter into or upon such bridge or ferry or to furnish such representative any information as to rates charged, schedules observed and regulations obeyed shall be sufficient ground for the revocation or suspension of such permit, or certificate of convenience and necessity.

§ 14. Each and every bridge or ferry company now or hereafter operating in this Commonwealth shall pay the following fees, to-wit: For each toll bridge conveying passengers, vehicles or freight for hire, or for which toll is charged, a license fee of five dollars ($5.00) per annum will be charged the person, firm or corporation owning or operating same. All amounts required to be paid under this section shall be paid to the Treasurer of the Commonwealth of Kentucky for the credit of the road fund on or before the first day of March of each year for the calendar year; provided, however, that if any bridge or ferry company shall obtain a certificate after March first of any year, it shall pay, when it obtains the certificate, the full fee of five dollars ($5.00).

§ 15. Failure to comply with any of the provisions of this act, or the rules and regulations formulated or promulgated thereunder by the State Highway Commission, on the part of any bridge or ferry company shall automatically result in a revocation of the license permit provided for herein; in such cases and circumstances the commission is hereby empowered, authorized and directed to take over the operation of such ferry or bridge company: provided that the person or corporation owning and operating same may proceed under the provisions of section 5 of this act in the Franklin Circuit Court to determine, as therein provided, the rights of the person, company, or corporation in controversy.

§ 16. The State Highway Commission is hereby empowered, authorized and directed to begin, as soon after this act shall become effective as conveniently possible, to take all steps necessary to carry the provisions of said act into effect and shall have printed all such blanks, rules, regulations and directions as may be necessary to enforce the rules and regulations made hereunder beginning on the first day of July, 1930.

§ 17. Any person, firm, or corporation violating any of the provisions of this act or any of the rules, regulations, or orders of the Commission shall be guilty of a misdemeanor, and upon conviction shall be fined not less than Fifty Dollars ($50.00) nor more than Five Hundred Dollars ($500.00), and each and every day of such violation shall constitute a separate offense.

§ 18. All previous grants in conflict herewith are hereby withdrawn, and all laws and parts of laws in conflict herewith to the extent of such conflict are hereby repealed.

§ 19. It is hereby declared to be the legislative intent that this act shall be liberally construed, and that if any section of this act shall be held to be invalid or unconstitutional, such holding shall not affect any other section of this act, and if any provision or exception embraced in any section of this act shall be held to be invalid or unconstitutional, such holding shall not affect the remaining portion of such section, it being the intention of the General Assembly to enact each section of this act and each provision and each exception therein separately, and no section, provision, or exception in said act shall be construed or held to be a mutual inducement for the enactment of any other provision or section of this act, it being hereby declared that the remaining portion of said act would have been enacted without the inclusion of said section, provision, or exception.

Said Substitute was concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

U. G. Anderson	W. C. Dugan	Frank LeBus
William B. Ardery	Thomas Dunn	Martin Light
S. A. Blackburn	J. W. Edwards	Fred V. Lucas
D. C. Bradley	William A. Eimer	H. R. Marquette
John R. Buckman	J. O. Evans	Joseph Martin
James A. Campbell	Joseph B. Everhart	James A. May
Bradley Combs	Kelly J. Francis	Clarence Miller
Elmer Cook	John B. Furlong	B. T. Morris
Leonard Cook	L. B. Hamilton	Fred A. Nolte
W. W. Cooper	H. G. Handmaker	J. D. Patton
Ben L. Cox	C. E. Houk	John H. Pickett
H. G. Crabtree	R. L. Jackson	W. E. Randall
G. Cunningham	Grover C. Johnson	Denny P. Smith
Winn Davis	Theron M. Johnson	D. O. Stanley
James R. Dorman	M. F. Jordan	Frank L. Strange
S. J. Douthitt	A. R. Kincheloe	E. J. Thomas
C. B. Dowling	John B. Klefot	L. M. Weathers

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Mr. Dorman moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 19. Resolution for the benefit of the ministers of the Churches of Frankfort, Kentucky.

With a Committee Amendment thereto.

Said resolution is as follows, viz.:

WHEREAS, the ministers of the various churches of the city of Frankfort have officiated at the opening of the daily session of the current General Assembly:

Be it resolved by the General Assembly of the Commonwealth of Kentucky:

That for the use and benefit of the following named ministers of the churches of Frankfort, to-wit:

Rev. Chesterfield Turner,
Rev. Hampton Adams,
Rev. Edward G. Klosterman,
Rev. Olaf Anderson,
Rev. J. A. MacCallon,
Rev. J. E. Savage,

there be and is now appropriated out of any funds in the State Treasury the sum of one hundred ($100.00) dollars each, and the Auditor of Public Accounts will draw his several warrants, payable to each of the above named ministers, for said sum.

Said Committee Amendment is as follows, viz.:

Amend H. Res. 19 as follows: on page 1 of printed bill insert name of Rev. E. W. Baxter between lines 8 and 9, also in line 10 strike out one hundred dollars and substitute therefor fifty dollars.

Said Amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, and the same

being engrossed, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William A. Eimer	Frank LeBus
William B. Ardery	Joseph B. Everhart	Martin Light
W. O. Baxter	Virgil Eversole	Fred V. Lucas
S. A. Blackburn	Kelly J. Francis	B. K. Marshall, Jr.
J. Watt Brown	John B. Furlong	Joseph Martin
John R. Buckman	F. A. Gnau	James A. May
James A. Campbell	L. B. Hamilton	Henry Meiman
Lee Clark	H. G. Handmaker	Harry J. Meyers
Elmer Cook	Robt. L. Horn	Clarence Miller
W. W. Cooper	C. E. Houk	Curtis F. Park
Ben L. Cox	R. L. Jackson	J. D. Patton
G. Cunningham	J. Roy Johnson	John H. Pickett
Winn Davis	Theron M. Johnson	John W. Preston
James R. Dorman	J. R. Johnston	Dorsey Ratliff
S. J. Douthitt	M. F. Jordan	D. O. Stanley
C. B. Dowling	A. R. Kincheloe	Frank L. Strange
W. C. Dugan	John B. Klefot	J. D. Via

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 222. An Act fixing the time in which an action shall be commenced for the purpose of setting aside a tax deed, executed by the sheriff or auditor of public accounts to the purchaser of real property at a tax sale or to recover the title or possession thereof when the owner of such property has failed to pay any state or county taxes thereon for a period of five consecutive years before said tax sale is made.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When the owner of any real property, shall fail to pay the State and County taxes due thereon for a period of five consecutive years and said property has been sold for taxes, after the expiration of said period by the Sheriff or Auditor of Public Accounts and deeds executed to the purchaser at any such tax sale, no action in law or equity shall be commenced by said owner, his heirs or assigns to set aside any such tax deed or to recover the title or possession of said property after five years from the time such deed is executed, delivered and lodged for record in the County Clerk's office, in the county where said property is situated and this limitation shall apply to all such tax deeds now on record, provided, however, that an infant may bring any such action within one year after arriving at the age of twenty-one years. This limitation shall not apply to a person of unsound mind or out of the United States, while in the service of or employed by the United States at the time the cause of action accrued, but the disability of one of several claimants shall save only his own right and not that of another.

§ 2. All laws or parts of laws in conflict herewith are to the extent of such conflict hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

William B. Ardery	W. C. Dugan	Fred V. Lucas
W. O. Baxter	Thomas Dunn	H. R. Marquette
S. A. Blackburn	William A. Eimer	B. K. Marshall, Jr.
D. C. Bradley	Garland Embry	Joseph Martin
T. L. Britton	Joseph B. Everhart	James A. May
John Young Brown	Kelly J. Francis	Clarence Miller
John R. Buckman	John B. Furlong	Russell O. Miller
Dr. R. A. Byers	F. A. Gnau	M. F. Moore
James A. Campbell	L. B. Hamilton	B. T. Morris
Lee Clark	H G. Handmaker	Andrew W. Nichols
Elmer Cook	J. F. Harrison	H. L. Nickell
W. W. Cooper	C. E. Houk	James I. Peters
Ben L. Cox	R. L. Jackson	John H. Pickett
H. G. Crabtree	Grover C. Johnson	W. E. Randall
G. Cunningham	Theron M. Johnson	D. O. Stanley
William J. Curtis	J. R. Johnston	Frank L. Strange
Winn Davis	A. R. Kincheloe	C. B. Truesdell
James R. Dorman	John B. Klefot	J. E. Walters
S. J. Douthitt	Martin Light	—56

There voted in the negative—

C. B. Dowling —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 128. An Act repealing sections 4282, 4283, 4284 and 4285 of Chapter 109, Kentucky Statutes, Carroll's 1922 Edition, and repealing section 365, article 3 of chapter 20, Carroll's 1922 Edition, Kentucky Statutes, relating to rewards and payments of rewards for horse stealing.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That sections 4282, 4283, 4284 and 4285 of chapter 109 of Kentucky Statutes, Carroll's 1922 Edition, relating to rewards for horse stealing, and section 365 of Article 3, chapter 20, Carroll's 1922 Edition, Kentucky Statutes, relating to the payment of rewards for horse stealing, be repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John R. Buckman	G. Cunningham
E. S. Allison	James A. Campbell	Winn Davis
U. G. Anderson	Lee Clark	S. J. Douthitt
W. O. Baxter	W. W. Cooper	C. B. Dowling
S. A. Blackburn	Ben L. Cox	W. C. Dugan
D. C. Bradley	H. G. Crabtree	Joseph B. Everhart

Kelly J. Francis	B. K. Marshall, Jr.	James I. Peters
John B. Furlong	Joseph Martin	John H. Pickett
Ralph Gilbert	James A. May	W. E. Randall
C. E. Houk	Henry Meiman	Denny P. Smith
Grover C. Johnson	Harry J. Meyers	Frank L. Strange
M. F. Jordan	Clarence Miller	E. J. Thomas
Frank LeBus	B. T. Morris	
Fred V. Lucas	H. L. Nickell	—40

Those who voted in the negative were—

J. W. Edwards	John B. Klefot	D. O. Stanley
F. A. Gnau	T. R. McRoberts	Thomas H. Troxel
L. B. Hamilton	Curtis F. Park	
Robt. L. Horn	J. D. Patton	—10

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 434. An Act to establish a new primary road project to be known as Project No. —, beginning in the State road which leads from Princess, Boyd County, Kentucky, to the Belfont Country Club, in Boyd County, at a point in said road at or near the mouth of Straight Creek, and up said creek and down Cole Branch and on to a point in the Grayson-Greenup road opposite or above Laurel Station.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary road system of this State, a road beginning in the Princess and Belfont Club Road at a point near the mouth of Straight creek in Boyd County, Kentucky, thence running up said creek and down Cole branch and on so as to intersect the Grayson-Greenup road at a point opposite or above Laurel Station in Greenup County, Kentucky, to be known as project No. —.

§ 2. Said project is hereby declared to be subject to all the terms and conditions of chapter 17 of the Acts of 1920 establishing and creating a primary system of State highways, of which system said project shall be and become a part.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John R. Buckman	William J. Curtis
E. S. Allison	Dr. R. A. Byers	Winn Davis
U. G. Anderson	James A. Campbell	James R. Dorman
William B. Ardery	Lee Clark	S. J. Douthitt
W. O. Baxter	Bradley Combs	C. B. Dowling
S. A. Blackburn	W. W. Cooper	W. C. Dugan
D. C. Bradley	Ben L. Cox	William A. Eimer
John Young Brown	H. G. Crabtree	Joseph B. Everhart
J. Watt Brown	G. Cunningham	Kelly J. Francis

John B. Furlong	M. F. Jordan	H. L. Nickell
F. A. Gnau	A. R. Kincheloe	Curtis F. Park
L. B. Hamilton	John B. Klefot	James I. Peters
H. G. Handmaker	Frank LeBus	John H. Pickett
Rev. B. L. Hargrove	Martin Light	W. E. Randall
Robt. L. Horn	Fred V. Lucas	Denny P. Smith
C. E. Houk	H. R. Marquette	D. O. Stanley
R. L. Jackson	James A. May	Elmer J. Terry
Grover C. Johnson	Henry Meiman	J. A. Thompson
J. Roy Johnson	B. T. Morris	C. B. Truesdell
Theron M. Johnson	F. Tyler Munford	J. E. Walters
J. R. Johnston	Andrew W. Nichols	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

S. Res. 37. A Joint Resolution of the General Assembly of the Commonwealth of Kentucky, session one thousand nine hundred thirty, memorializing the President of the United States, the Congress of the United States and the Director of the U. S. Veterans' Bureau to take action as may be necessary to cause the transfer of those Kentucky counties now assigned to the jurisdiction of the Cincinnati Regional Office of the U. S. Veterans' Bureau to the jurisdiction of the Louisville Regional Office of the U. S. Veterans' Bureau.

Said resolution is as follows, viz.:

WHEREAS, for the purpose of the administration of the World War Veterans' Act the counties of the State of Kentucky are assigned to the Louisville Regional Office of the U. S. Veterans' Bureau and the Cincinnati Regional Office of the U. S. Veterans' Bureau, all of the Kentucky counties being assigned to the jurisdiction of the Louisville Regional Office of said Bureau except the following 20 counties in northern and eastern Kentucky, which are assigned to the Cincinnati Regional Office; Bracken, Boone, Boyd, Campbell, Carter, Floyd, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton Knott, Lawrence, Lewis, Magoffin, Mason, Pendleton, Pike and Robertson, and

WHEREAS, a great deal of dissatisfaction is felt by the disabled veterans of the World War residing in those Kentucky counties assigned to the Cincinnati Regional Office because they believe that their claims have not been given the thorough and sympathetic consideration which they merit and should receive and for this reason they do not want their claims to remain under the jurisdiction of the Cincinnati Regional Office, and

WHEREAS, the Commonwealth of Kentucky maintains an agency known as the Kentucky Disabled Ex-Service Men's Board to prosecute the claims of the disabled World War veterans of Kentucky, which is to a great extent handicapped in its work by reason of the assignment of a part of Kentucky to the Cincinnati Regional Office which makes it necessary for the Kentucky Disabled Ex-Service Men's Board to prosecute the claims of the disabled World War veterans of Kentucky before two Regional Offices of the Veterans' Bureau, and

WHEREAS, the reason has been given that these Kentucky counties were assigned to the Cincinnati Regional Office because of their proximity to the State of Ohio and the saving effected in transportation, which is not consistent in view of the fact that the extreme northern and eastern counties of the state could more economically be sent to the Charleston (West Virginia) Regional Office and if this policy was to be

consistently followed by the Veterans' Bureau in the assignment of territory to the Regional Offices it would be more economical to assign southern Illinois to the St. Louis (Missouri) Regional Office than to send men from this territory to the Chicago Regional Office as is now being done which would seem to indicate that the question of the cost of transportation is not the controlling factor, and

WHEREAS, the assignment of territory to the Regional Offices should be made on the basis of satisfactory service and consideration be given to the desires of the territory affected; now therefore,

Be it resolved by the General Assembly of the Commonwealth of Kentucky, session one thousand nine hundred and thirty:

That the President of the United States, the Congress of the United States, and the Director of the United States Veterans' Bureau be memorialized to take such action as may be necessary to promptly transfer from the jurisdiction of the Cincinnati Regional Office to the jurisdiction of the Louisville Regional Office the following Kentucky counties: Bracken, Boone, Boyd, Campbell, Carter, Floyd, Gallatin, Grant, Greenup, Harrison, Johnson, Kenton, Knott, Lawrence, Lewis, Magoffin, Mason, Pendleton, Pike, and Robertson, and

Be it further resolved that one copy each of this resolution be forwarded by the Clerk of the Senate to the President of the United States, to the President of the Senate and Speaker of the House of Representatives of the United States, to the Director of the United States Veterans' Bureau, and to the Senators and Representatives from Kentucky in the United States Congress.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Joseph B. Everhart	H. R. Marquette
U. G. Anderson	Virgil Eversole	Joseph Martin
S. A. Blackburn	John B. Furlong	James A. May
D. C. Bradley	Ralph Gilbert	Henry Meiman
John R. Buckman	F. A. Gnau	Clarence Miller
James A. Campbell	L. B. Hamilton	B. T. Morris
Lee Clark	H. G. Handmaker	H. L. Nickell
Bradley Combs	C. E. Houk	Caleb A. Page
Elmer Cook	R. L. Jackson	Curtis F. Park
W. W. Cooper	Grover C. Johnson	J. D. Patton
Ben L. Cox	J. Roy Johnson	James I. Peters
H. G. Crabtree	Theron M. Johnson	John H. Pickett
G. Cunningham	M. F. Jordan	W. E. Randall
James R. Dorman	A. R. Kincheloe	Denny P. Smith
S. J. Douthitt	John B. Klefot	D. O. Stanley
C. B. Dowling	Martin Light	E. J. Thomas
W. C. Dugan	Fred V. Lucas	—50

There voted in the negative—

William A. Eimer —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 336. An Act empowering the insurance Commissioner of the State of Kentucky to suspend or revoke for a cause the license of an agent of a fire insurance company.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Whenever the Insurance Commissioner of the State of Kentucky shall, after due notice and hearing, find that an agent of a life insurance company has wilfully misrepresented any policy of insurance, or dealt unjustly or wilfully deceived any person with regard to an insurance policy or has failed or refused upon demand to pay over to any company he represents or has represented any money coming into his hands belonging to such company, or has wilfully and maliciously made, circulated or transmitted to another or others any false statement, rumor or suggestion written, printed or by words of mouth, which is directly or by inference derogatory to the financial condition or affects the solvency or financial standing of any insurance company or who has counseled, aided, procured or induced another to state, transmit or circulate any such statement or rumor, or made any misleading representation or incomplete comparison of policies or certificates of insurance to any person insured in any insurance company for the purpose of inducing or tending to induce such person to lapse, forfeit or surrender his said insurance, or has wilfully violated any provisions of the insurance law, the Commissioner shall by written order suspend for a period of not less than thirty or more than ninety days the license of such agent for all companies which he represents. For a second violation by the same agent the Commissioner shall revoke all licenses held by said agent, and no license shall thereafter be issued to said agent until after the expiration of the twelve months immediately following and then within the discretion of the Insurance Commis-

sioner. The Insurance Commissioner shall have the same power of subpoena for witnesses as a court; shall take testimony under oath; shall keep accurate record of same and full report of his findings.

Mr. Houk offered the following Amendment to said bill, viz.:

Amend S. B. 336 by adding after the word "findings" in line 16 of the printed bill the following:

All decisions and findings of the Insurance Commissioner made under the provisions of this Section may be reviewed by proper proceedings in any court of competent jurisdiction within the State.

Said amendment was agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed as amended.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R. Dorman	F. A. Gnau
S. A. Blackburn	S. J. Douthitt	H. G. Handmaker
D. C. Bradley	C. B. Dowling	Rev. B. L. Hargrove
John Young Brown	W. C. Dugan	Robt. L. Horn
John R. Buckman	William A. Eimer	C. E. Houk
James A. Campbell	Joseph B. Everhart	R. L. Jackson
W. W. Cooper	Virgil Eversole	Grover C. Johnson
Ben L. Cox	John B. Furlong	J. Roy Johnson
H. G. Crabtree	Ralph Gilbert	Theron M. Johnson

M. F. Jordan	B. T. Morris	D. O. Stanley
John B. Klefot	F. Tyler Munford	Frank L. Strange
B. K. Marshall, Jr.	Andrew W. Nichols	Elmer J. Terry
Joseph Martin	H. L. Nickell	E. J. Thomas
James A. May	Fred A. Nolte	J. A. Thompson
Geo. R. McIntosh	Caleb A. Page	Thomas H. Troxel
T. R. McRoberts	John H. Pickett	Dr. Vallandingham
Clarence Miller	John W. Preston	J. E. Walters
Russell O. Miller	W. E. Randall	
M. F. Moore	Denny P. Smith	—55

Those who voted in the negative were—

Bradley Combs	Kelly J. Francis	Frank LeBus
Leonard Cook	L. B. Hamilton	—5

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 359. An Act to repeal and re-enact Section 2380, Sub-section 26, Kentucky Statutes, Carroll's Edition, 1922, relating to the contract for the construction of the drainage project and how same shall be let by the Board of Drainage Commissioners.

With a Committee Amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2380, Sub-Section 26, Carroll's Edition, 1922, Kentucky Statutes, be and same is hereby repealed and there be and now is enacted in lieu thereof, the following, to-wit:

Upon final reference to it by the court, of any drainage proceeding under this act, the said board shall cause notice in some newspaper published in the county wherein such improvement is located, if such there be, and such publication elsewhere as they may deem expedient, of the time and place of letting the work of construction of said improvement, and in such notice they shall specify the approximate amount of work to be done and the time fixed for the completion thereof; and on the date appointed for the letting they, together with the chief engineer, shall convene and let to the lowest responsible bidder, either as a whole or in sections, as they may deem most advantageous for the district, the proposed work. No bid shall be entertained that exceeds the estimated cost, except for good and satisfactory reasons it shall be shown that the original estimate was erroneous. They shall have the right to reject all bids and advertise again the work, if in their judgment the interest of the district will be subserved by doing so, or the board of drainage commissioners may employ men and teams and have the power to lease, rent, hire or purchase machinery and equipment, and employ men to operate same, and directly have charge of and construct the works and improvements according to the plans and specifications, "providing also that said drainage board has and may exercise the same power in cleaning out, straightening, and reconstructing old public ditches, but the expense of said work of said original construction or cleaning out, straightening and reconstructing old public ditches shall not exceed the estimate of the drainage engineer for said work. In the event that the board of drainage commissioners accept a bid for the said work,

then the successful bidder shall be required to enter into a contract with the board of drainage commissioners and to execute a bond for the faithful performance of such contract, with sufficient sureties, in favor of the board of drainage commissioners for the use and benefit of the levee or drainage district, in an amount equal to fifty per cent (50%) of the estimated cost of the work awarded to him.

Said Committee Amendment is as follows, viz.:

Amend S. B. 359. "providing also that said drainage board has and may exercise the same power in cleaning out, straightening, and reconstructing old public ditches but the expense of said work of said original construction or cleaning out, straightening and reconstructing old public ditches shall not exceed the estimate of the drainage engineer for said work.

Said Amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	D. C. Bradley	Lee Clark
E. S. Allison	T. L. Britton	Bradley Combs
U. G. Anderson	John Young Brown	Leonard Cook
W. O. Baxter	John R. Buckman	W. W. Cooper
S. A. Blackburn	James A. Campbell	Ben L. Cox

H. G. Crabtree	J. F. Harrison	M. F. Moore
G. Cunningham	Robt. L. Horn	B. T. Morris
Winn Davis	C. E. Houk	H. L. Nickell
James R. Dorman	R. L. Jackson	Curtis F. Park
S. J. Douthitt	Grover C. Johnson	J. D. Patton
C. B. Dowling	J. Roy Johnson	John H. Pickett
W. C. Dugan	Theron M. Johnson	W. E. Randall
J. W. Edwards	J. R. Johnston	Dorsey Ratliff
William A. Eimer	M. F. Jordan	Elmer J. Terry
Joseph B. Everhart	A. R. Kincheloe	E. J. Thomas
Virgil Eversole	Frank LeBus	J. A. Thompson
Kelly J. Francis	Joseph Martin	Thomas H. Troxel
John B. Furlong	James A. May	Dr. Vallandingham
L. B. Hamilton	Henry Meiman	J. E. Walters
Rev. B. L. Hargrove	Clarence Miller	L. M. Weathers

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in the House, entitled:

H. B. 484. An Act to amend Sec. 3713, Kentucky Statutes, Carroll's 1922 Edition.

H. B. 720. An Act authorizing the fiscal courts of counties having cities of the second class to employ a Zoning Engineer.

H. B. 697. An Act establishing a Bureau of Medical Education and hospitals in the State Board of Health.

H. Res. 43. Resolution for the benefit of certain employees who care for the State Capitol.

H. B. 438. An Act repealing Sec. 2739g-7, Kentucky Statutes.

H. B. 488. An Act relating to the establishment of public highways and prescribing the width of same.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 111. An Act regulating the planting of trees, shrubs, or other growths within the State Highways, designating care and control, providing penalty for injuring and destroying same, designating certain money for nursery highway fund and naming who shall receive said trees.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Towns, clubs, or other recognized organizations may appropriate money to be expended by them in cooperation with the State Highway Commission and the State Forest Service in planting trees, shrubs, or other suitable growths within the state highways, for the purpose of improving, protecting, shading, or ornamenting the same.

§ 2. So that the best harmonious results may be attained and the livelihood of any plantings be safeguarded, no planting of trees, shrubs, or other growths shall be made along the State Highways until a planting plan designating

the species or types of trees, shrubs, or other growth to be planted and the location which is to be planted shall be offered to the State Forest Department for their inspection. If said planting plan is found suitable as to species or kinds of trees, shrubs, or growths, to be planted, such plan may be carried out if the permission of the State Highway Commission has been secured as to the planting location.

§ 3. The Highway Commission and the Forest Service shall have the care and control of all trees, shrubs, or growths within the State highways and may trim, cut or remove such trees, shrubs, or growths or license the trimming, cutting, or removal thereof. No such trees, shrub or other growth shall be trimmed, cut or removed by any person other than an agent or employee of the Highway Commission or Forest Service or by one licensed by both Highway Commission and Forest Service agreeing.

§ 4. Whoever wantonly, wilfully, or without authority, trims, cuts down, or removes a tree, shrub, or growth, within a state highway or maliciously injures, defaces, or destroys any such tree, shrub, or growth, shall upon conviction thereof in a summary proceeding before any magistrate, alderman, or justice of the peace, be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dollars ($100.00) or imprisoned not less than twenty-five days nor more than six months or both so fined and imprisoned, in the discretion of the court.

§ 5. For the growing of trees by the State Forest Service suitable for highway planting, there is hereby designated one thousand dollars ($1,000.00) annually to be paid out of the "General Expenditure Fund" and for the benefit of the Forest Service.

§ 6. All trees grown from this fund shall be delivered to the State Highway Commsision to be planted by said Commission or its agents along the State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected, having failed to receive a Constitutional majority of 51 votes required for an appropriation act.

The yeas and nays being taken thereon in accordance with the provision of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	H. G. Handmaker	Curtis F. Park
U. G. Anderson	C. E. Houk	J. D. Patton
W. O. Baxter	R. L. Jackson	James I. Peters
John Young Brown	Grover C. Johnson	John H. Pickett
John R. Buckman	M. F. Jordan	John W. Preston
W. W. Cooper	John B. Klefot	W. E. Randall
Ben L. Cox	Frank LeBus	Frank L. Strange
William J. Curtis	Martin Light	H. L. Taylor
W. C. Dugan	T. R. McRoberts	Elmer J. Terry
Joseph B. Everhart	F. Tyler Munford	E. J. Thomas
John B. Furlong	Caleb A. Page	Thomas H. Troxel
Ralph Gilbert	M. F. Moore	C. B. Truesdell
F. A. Gnau	M. L. Napier	H. Speed Tye
L. B. Hamilton	H. L. Nickell	—41

Those who voted in the negative were—

S. A. Blackburn	James R. Dorman	Fred A. Nolte
J. Watt Brown	S. J. Douthitt	Dorsey Ratliff
James A. Campbell	Garland Embry	Denny P. Smith
Bradley Combs	Kelly J. Francis	J. A. Thompson
Leonard Cook	Clarence Miller	J. E. Walters
H. G. Crabtree	Andrew W. Nichols	—17

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 417. An Act to provide for the manufacture of license plates or tags for motor vehicles, road markers and signs, and numbers for marking houses by inmates of the penal institutions of the State of Kentucky, and making an appropriation therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The State Board of Charities and Corrections is hereby authorized and directed to cause to be manufactured by the convicts of the State Penitentiary or the State Reformaory, all license number plates or tags required to be furnished by the State Tax Commission under the statutes of this State now or hereafter in force relating to motor vehicles. Such license plates or tags shall be manufactured in the amount and in accordance with the law and the specifications and requirements of the Kentucky State Tax Commission; and the State Board of Charities and Corrections is hereby authorized and directed to cause said license plates or tags to be manufactured immediately upon the order of the State Tax Commission and such license plates or tags shall be delivered to the State Tax Commission not later than four months after receiving said order.

§ 2. The State Board of Charities and Corrections is hereby authorized to cause to be manufactured by the convicts of the State Penitentiary or the State Reformatory road signs and markers to be used for marking roads and streets. Such road signs and markers shall be manufactured in the amount and in accordance with the specifications and requirements of the State Highway Commission.

§ 3. The State Board of Charities and Corrections is hereby authorized and empowered to cause to be manufactured by the convicts in the State Penitentiary or the State Reformatory house numbers and markers for streets for municipalities. Such house numbers and markers for streets

shall be manufactured under the supervision of the State Board of Charities and Corrections in the amount and in accordance with the specifications as the sale of such house numbers and street markers demands, such house numbers and street markers to be furnished at a price to be determined upon by the State Board of Charities and Corrections.

§ 4. The State Board of Charities and Corrections is hereby authorized and empowered to cause to be manufactured by the convicts in the State Penitentiary or the State Reformatory, license plates or tags required by the Motor Vehicle Laws of States other than the State of Kentucky, such license plates or tags to be furnished at a price to be determined upon by the State Board of Charities and Corrections.

§ 5. The State Board of Charities and Corrections is hereby authoribzed to procure or cause to be procured and install in either the State Penitentiary or the State Reformatory all necessary machinery, tools and equipment required in the manufacture of the license plates or tags authorized under the provisions of this Act.

§ 6. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated the sum of Forty-five Thousand ($45,000.00) Dollars, or so much thereof as may be necessary for the payment of the materials, equipment and machinery, and the installation thereof, required under the provisions of this Act.

§ 7. There is hereby appropriated out of the fees received by the State Tax Commission from the sale of license plates or tags such amount as may be necessary for the purchase of raw material used in the manufacture of license plates or tags and road markers, and such further sums as may be necessary to compensate the State Board of Charities and Corrections for the labor employed in the manufacture of the above plates or tags and signs at the rate of $1.25 per day per man for able bodied men and $.75 per day per man for non-able bodied men, and such further sums as

may be necessary to compensate the State Board of Charities and Corrections for light, heat, and power used in the operation of said plant at prices currently in effect by the Louisville Gas and Electric Company for similar services and such further sum as may be necessary to pay the salary of a skilled foreman who shall have charge of the convict labor under the direction of the Superintendent of the institution and the State Board of Charities and Corrections.

§ 8. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

William B. Ardery	G. Cunningham	R. L. Jackson
S. A. Blackburn	James R. Dorman	Grover C. Johnson
D. C. Bradley	S. J. Douthitt	J. Roy Johnson
John Young Brown	W. C. Dugan	Theron M. Johnson
J. Watt Brown	J. W. Edwards	J. R. Johnston
John R. Buckman	Virgil Eversole	M. F. Jordan
Dr. R. A. Byers	Kelly J. Francis	Frank LeBus
James A. Campbell	John B. Furlong	Martin Light
Lee Clark	Ralph Gilbert	Fred V. Lucas
Bradley Combs	L. B. Hamilton	James A. May
Leonard Cook	H. G. Handmaker	Geo. R. McIntosh
W. W. Cooper	Rev. B. L. Hargrove	Henry Meiman
Ben L. Cox	Robt. L. Horn	Harry J. Meyers
H. G. Crabtree	C. E. Houk	M. F. Moore

B. T. Morris	James I. Peters	E. J. Thomas
H. L. Nickell	W. E. Randall	J. A. Thompson
Fred A. Nolte	Denny P. Smith	Thomas H. Troxel
Caleb A. Page	D. O. Stanley	Dr. Vallandingham
Curtis F. Park	Elmer J. Terry	J. D. Via

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Those who voted in the negative were—

William A. Eimer C. B. Truesdell —2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 79. An Act to repeal Chapter 42 of the Acts of the 1924 Legislature and enact in lieu thereof an act requiring the State Librarian to and directing him to furnish to the law library of the University of Kentucky 2 sets of the Acts of the General Assembly, 2 sets of the Journals of the House and Senate, 6 sets of the Kentucky Reports, beginning with volume 78, 6 sets of Advance Sheets of the Kentucky Reports annually, free of cost to the university.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Librarian be and he is hereby required and directed to furnish to the Law Library of the University of Kentucky, free of cost and as they are pub-

lished, 2 copies of the Acts of the General Assembly, 2 copies of the Journals of the House and Senate, 6 copies of the Kentucky Reports, beginning with Volume 78, and 6 sets of the Advance Sheets of the Kentucky Reports, said Librarian to furnish the said University with the new volumes of the Kentucky Reports and Advance Sheets as they are published free of charge.

§ 2. Said Librarian is further directed to furnish to said Law Library of the University of Kentucky, free of cost and to the extent that the same are on hand and may be spared from the State Library, a complete set of the Acts of the General Assembly, of the Journals of each House, and of the Kentucky Reports.

Whereas, said Law Library of the University of Kentucky is badly in need of the foregoing books, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James A. Campbell	H. G. Crabtree
E. S. Allison	Lee Clark	G. Cunningham
W. O. Baxter	Elmer Cook	William J. Curtis
John Young Brown	Leonard Cook	James R. Dorman
J. Watt Brown	W. W. Cooper	S. J. Douthitt
John R. Buckman	Ben L. Cox	C. B. Dowling

W. C. Dugan	C. E. Houk	Harry J. Meyers
Thomas Dunn	R. L. Jackson	Clarence Miller
J. W. Edwards	Grover C. Johnson	Fred A. Nolte
Garland Embry	Theron M. Johnson	Caleb A. Page
Joseph B. Everhart	M. F. Jordan	Curtis F. Park
Virgil Eversole	Frank LeBus	James I. Peters
John B. Furlong	Fred V. Lucas	John H. Pickett
L. B. Hamilton	H. R. Marquette	D. O. Stanley
H. G. Handmaker	James A. May	Frank L. Strange
Rev. B. L. Hargrove	Geo. R. McIntosh	C. B. Truesdell
J. F. Harrison	T. R. McRoberts	Dr. Vallandingham
Robt. L. Horn	Henry Meiman	J. D. Via

—54

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Rules Committee the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 40. An Act to repeal section 16 of chapter 12 of the Acts of the 1928 Legislature, appropriating for the State Banking Commission a sum of $40,000 for the fiscal year ending June 30, 1930, for the purpose of paying salaries, printing, stamps, supplies and other expenses of the operation and maintenance of said department, and enacting in lieu thereof, an act providing that the Banking Department shall have for the fiscal year ending June 30, 1930, for the purpose of paying all salaries, printing, stamps, supplies, and other expenses of the operation and maintenance of said De-

partment, all of the fees realized from examinations of the sundry banks and building and loan associations as now provided by law, for the fiscal year ending June 30, 1930.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That section 16 of chapter 12 of the Acts of 1928, approved March 24, 1928, be, and the same is hereby repealed.

§ 2. There is hereby set aside and appropriated for the use of the Department of Banking, for the fiscal year ending June 30, 1930, for the purpose of paying all salaries, printing, stamps, supplies and other expenses of operation and maintenance of said Banking Department, all of the fees realized from examinations of the sundry banks and building and loan associations as now provided by law, for the fiscal year ending June 30, 1930, or so much of said fees as will be necessary to maintain said Banking Department, for the fiscal year ending June 30, 1930.

Providing that such fees collected shall not exceed the sum collected and expended during the year 1929 by said Banking Department, and all such fees hereafter collected in excess of the necessary expense of conducting said Banking Department shall be returned to the Banks in the proportion paid into the said Banking Department by the said banks.

§ 3. Owing to the biennial appropriaton for each fiscal year, ending June 30, 1929, and June 30, 1930, being insufficient to maintain said Department to July 1, 1930, and that there is at present an actual necessity existing for funds to further carry on the operation and maintenance of said Banking Department, an emergency is declared to exist and this act shall take effect immediaely after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	J. O. Evans	Henry Meiman
William B. Ardery	Joseph B. Everhart	Harry J. Meyers
W. O. Baxter	Virgil Eversole	B. T. Morris
S. A. Blackburn	L. B. Hamilton	F. Tyler Munford
D. C. Bradley	H. G. Handmaker	H. L. Nickell
John R. Buckman	Rev. B. L. Hargrove	Fred A. Nolte
James A. Campbell	J. F. Harrison	Caleb A. Page
Lee Clark	C. E. Houk	Curtis F. Park
Bradley Combs	R. L. Jackson	J. D. Patton
Leonard Cook	Grover C. Johnson	James I. Peters
W. W. Cooper	J. Roy Johnson	John H. Pickett
Ben L. Cox	Theron M. Johnson	D. O. Stanley
H. G. Crabtree	J. R. Johnston	Elmer J. Terry
G. Cunningham	M. F. Jordan	C. B. Truesdell
J. J. Davis	John B. Klefot	Dr. Vallandingham
James R. Dorman	Frank LeBus	J. D. Via
S. J. Douthitt	Martin Light	J. E. Walters
W. C. Dugan	H. R. Marquette	G. W. Wiggington
Thomas Dunn	James A. May	Robert Williams
J. W. Edwards	Geo. R. McIntosh	
William A. Eimer	T. R. McRoberts	—61

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 327. An Act to amend and re-enact Sections 2739j-22, 2739j-27 and 2739j-32 of the Kentucky Statutes, Baldwin's 1926 Supplement, being Sections 22, 27 and 32 of Chapter 112 of the Acts of the General Assembly of 1926, relating to the supervision and regulation of transportation of persons for compensation over public highways by motor propelled vehicles in this Commonwealth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sections 2739j-22, 2739j-27 and 2739j-32 of the Kentucky Statutes, Baldwin's 1926 Supplement, being Sections 22, 27 and 32 of Chapter 112 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1926, being an act to repeal, amend and re-enact Chapter 81 of the Acts of the General Assembly of 1924, entitled: "An Act providing for additional supervision and regulation of the transportation of persons for compensation over public highways by motor propelled vehicles; defining automobile transportation companies; providing for additional supervision and regulation thereof by the State Highway Commission or its successors; providing for the assessment and collection of fees and taxes thereon and providing for the enforcement of the provisions of this act and punishment for violations thereof." Providing for the appointment, qualifications, term of office and compensation of a Commissioner of Motor Transportation and his assistants; providing for the supervision, control and regulation of motor transportation of persons for hire over the public highways of Kentucky; providing for the assessment and collection of fees and taxes for

revenue for the state road fund and for the enforcement of the provisions of this act; providing for the examination and qualification of drivers of such motor vehicles and fixing a fee therefor; providing for the supervision and regulation of fares, schedules and routes of such motor vehicles; providing the legal procedure for complying with and enforcing the provisions of this act; providing for a method of appeal; and providing for punishment and penalties for any violation of the provisions of this act; be amended and re-enacted so that said sections as amended and re-enacted shall read as follows, to wit:

"Section 2739j-22, or Section 22 of Chapter 112 of the Acts of 1926. No motor vehicle engaged in transportation of persons, for hire shall be permitted by its operator to carry a greater number of passengers than twenty-five per cent over its seating capacity or number specified in the certificate issued by the commissioner. No passenger shall be permitted to ride upon the steps or running board of any motor vehicle engaged in the public transportation of passengers, nor shall any passenger be permitted to ride on the top of any such vehicle, unless such top has been designed and equipped with seats constructed for such use, and provided with protecting railing or protective enclosure on all four sides of the top of the vehicle, and authorized by certificate issued by the commissioner. No motor vehicle shall be operated between fixed termini or over a regular route with an extreme width exceeding ninety-six (96) inches.

"Section 2739j-27. Each and every person, firm or corporation, now or hereafter operating a line or lines of passenger transportation by means of motor vehicles, and who are not operating under a certificate of convenience and necessity issued by the Commissioner of Motor Bus Transportation, and all 'U-Drive Its,' jitneys or taxicabs, shall pay the following fees, to wit: $1.50 for each passenger seat or space.

"For each and every motor vehicle operating over any public highway of this state between fixed termini or over a regular route, capable of carrying five passengers or less, $5.00 for each passenger seat or space and .50 for each 100 pounds gross weight of said motor vehicle and $10.00 for the bus tag issued by the Commissioner referred to in this act.

"For each and every motor vehicle operating over any public highway of this state between fixed termini over a regular route, capable of carrying six passengers, or more, and up to and including 20 passengers, $10.00 for each passenger seat or space and .50 for each 100 pounds gross weight of the motor vehicle and $25.00 for the bus tax issued by the Commissioner referred to in this act.

"For each and every motor vehicle operating over any public highway in this state having over 20 passenger seats, $15.00 for each passenger seat or space and .50 for each 100 pounds gross weight of the motor vehicle, and $50.00 for the bus tag issued by the Commissioner referred to in this act.

"Any person, firm or corporation operating interstate motor vehicles between fixed termini not wholly within the corporate limits of any city or town, but between two or more municipal corporaions over a route ten miles or less within the State of Kentucky, regardless of whether the highway is or is not maintained, in whole or in part, by the state, county or federal government, shall be required to pay to the Commissioner a fee of one-third of the amount provided for intrastate motor vehicles operating under a certificate of convenience and necessity as set out in this section.

"When any bus or motor vehicle, which has been licensed by the Commissioner of Motor Bus Transportation for operation for hire over the public highways in this state, as provided for in this section, shall be destroyed by fire, sold or transferred to another person, firm or corporation and is not to be used any further on the public highway in this state by said person, firm or corporation, the owner thereof may surrender to the commissioner the license tag or certificates

of such vehicle issued by said commissioner and upon satisfactory proof to the commissioner that said bus or motor vehicle will not be further used on the highways of this state by said person, firm or corporation, said commissioner is authorized, and it shall be his duty to give credit to such owner for the amount of the unearned portion of the license fees for another vehicle belonging to such owner, which is to be put into service in that year, provided the unearned portion of the license does not exceed the fractional year's fee due on the new vehicle or vehicles. No cash refunds shall be made in any event and no credit shall be given in excess of the fractional year's fee on the new motor vehicle or vehicles licensed for that year.

"Section 2739j-32. No person shall be permitted to drive any automobile or motor bus for the transportation of persons for hire between fixed termini or over a regular or irregular route or on a casual trip, as provided in this act, until said person has been granted a license by the commissioner. The said applicant shall pay to the said commissioner a fee of $8.00 annually. Said application shall contain the name of the applicant, the experience he has had in the operation of motor vehicles and a cerificate from some reputable physician as to his eyesight, hearing and condition of health and habits. Before said applicant is granted a license, he shall be required to take such test or examination as the commissioner may require. The said license when granted shall be subject to suspension upon due notice to the holder thereof within ten days before a hearing and said license shall be cancelled after said applicant has violated any of the rules or regulations prescribed by the commissioner. No license shall be issued to any person under 21 years of age. If any license shall be cancelled the holder thereof shall immediately return the badge issued to him by said commissioner. To any person fully complying with this section no further fee shall be charged or examination required by the state or any local authorities of the state. The above men-

tioned fees provided in this section may be paid annually or quarterly.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock
E. S. Allison
U. G. Anderson
W. O. Baxter
S. A. Blackburn
D. C. Bradley
T. L. Britton
John R. Buckman
Dr. R. A. Byers
James A. Campbell
Lee Clark
Bradley Combs
Elmer Cook
Leonard Cook
W. W. Cooper
Ben L. Cox
H. G. Crabtree
William J. Curtis
Winn Davis
James R. Dorman
S. J. Douthitt
Thomas Dunn
J. W. Edwards
William A. Eimer
Garland Embry
Virgil Eversole
Kelly J. Francis
John B. Furlong
Ralph Gilbert
F. A. Gnau
L. B. Hamilton
H. G. Handmaker
Rev. B. L. Hargrove
J. F. Harrison
C. E. Houk
R. L. Jackson
Grover C. Johnson
J. Roy Johnson
J. R. Johnston
M. F. Jordan
John B. Klefot
Frank LeBus
Martin Light
H. R. Marquette
Joseph Martin
James A. May
Henry Meiman
Harry J. Meyers
Clarence Miller
Russell O. Miller
M. F. Moore
B. T. Morris
H. L. Nickell
Fred A. Nolte
Caleb A. Page
Curtis F. Park
James I. Peters
John H. Pickett
Denny P. Smith
D. O. Stanley
Elmer J. Terry
Dr. Vallandingham
J. D. Via
L. M. Weathers

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Those who voted in the negative were—

J. Watt Brown W. C. Dugan J. A. Thompson
C. B. Dowling —4

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 431. An Act relating to county patrolmen.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The fiscal courts of the respective counties shall fix the salary or compensation of each patrolman appointed by the county court, in accordance with the provisions of Section 3780, Kentucky Statutes, Carroll's 1922 Edition. Provided, however, that no patrolman shall be paid more than eighteen hundred dollars ($1800) per annum, payable in equal monthly installments out of the county levy; but the county court may designate one of said county parolmen as chief of the county patrolmen, who shall serve as such chief during the pleasure of the county court, and such chief shall be paid not more than two thousand one hundred dollars ($2100) per annum out of the county levy, payable in equal monthly installments. The fiscal court, shall by order, fix the amount of their salary within the limits herein provided.

The county court may designate one or more of said patrolmen as motor patrolmen, who in the discretion of the fiscal court, may be provided with motor vehicles.

§ 2. Said patrolmen shall have the same right and the same power to arrest, search and seize as is now given by law to the sheriffs of this Commonwealth, and shall be subject to the orders of the county court. Provided, however, that patrolmen shall not have power to serve subpoenas, summons, and notices in civil cases.

§ 3. All acts, parts of acts and laws in conflict herewith to the extent of such conflict are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Ben L. Cox	Grover C. Johnson
E. S. Allison	H. G. Crabtree	J. Roy Johnson
U. G. Anderson	William J. Curtis	J. R. Johnston
W. O. Baxter	James R. Dorman	A. R. Kincheloe
S. A. Blackburn	S. J. Douthitt	John B. Klefot
D. C. Bradley	C. B. Dowling	Frank LeBus
J. Watt Brown	J. W. Edwards	Martin Light
John R. Buckman	William A. Eimer	B. K. Marshall, Jr.
Dr. R. A. Byers	Virgil Eversole	Joseph Martin
James A. Campbell	John B. Furlong	James A. May
Lee Clark	L. B. Hamilton	Henry Meiman
Bradley Combs	H. G. Handmaker	Harry J. Meyers
Leonard Cook	Robt. L. Horn	B. T. Morris
W. W. Cooper	C. E. Houk	F. Tyler Munford

H. L. Nickell	Frank L. Strange	Dr. Vallandingham
Fred A. Nolte	Elmer J. Terry	J. D. Via
Caleb A. Page	C. B. Truesdell	J. E. Walters

—51

Those who voted in the negative were—

W. C. Dugan	M. F. Jordan	D. O. Stanley
Garland Embry	Andrew W. Nichols	E. J. Thomas
Kelly J. Francis	John H. Pickett	J. A. Thompson
R. L. Jackson	Denny P. Smith	

—11

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 416. An Act to amend section 4379 of Article three of Baldwin's-Carroll's Kentucky Statutes, 1922 edition, relating to common schools and specifically relating to a quorum of the State Board of Education, and to re-enact same as amended.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section 4379 of Article Three, Baldwin's-Carroll's Kentucky Statutes, 1922 Edition, relating to quorum of the State Board of Education, be amended by striking out the words, "and with one other member" in lines four and five of said paragraph and inserting in lieu thereof the follow-

ing, "but a majority of the board" so that when the said paragraph is amended and re-enacted it shall read as follows:

"The superintendent of public instruction shall be the chairman of the board, but a majority of the board may control its corporate action at any regular or called meeting of the board, of which all members shall have timely notice in writing."

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Winn Davis	J. F. Harrison
E. S. Allison	E. C. Dennington	C. E. Houk
U. G. Anderson	James R. Dorman	R. L. Jackson
W. O. Baxter	C. B. Dowling	Grover C. Johnson
S. A. Blackburn	W. C. Dugan	Theron M. Johnson
D. C. Bradley	Thomas Dunn	J. R. Johnston
T. L. Britton	J. W. Edwards	M. F. Jordan
J. Watt Brown	William A. Eimer	John B. Klefot
John R. Buckman	Garland Embry	Frank LeBus
James A. Campbell	J. O. Evans	Martin Light
Lee Clark	Joseph B. Everhart	Fred V. Lucas
Bradley Combs	Virgil Eversole	James A. May
Elmer Cook	Kelly J. Francis	Henry Meiman
Leonard Cook	John B. Furlong	Harry J. Meyers
W. W. Cooper	F. A. Gnau	Russell O. Miller
Ben L. Cox	L. B. Hamilton	M. F. Moore
H. G. Crabtree	H. G. Handmaker	B. T. Morris
G. Cunningham	Rev. B. L. Hargrove	F. Tyler Munford

Andrew W. Nichols	Dorsey Ratliff	C. B. Truesdell
H. L. Nickell	Denny P. Smith	J. D. Via
Fred A. Nolte	D. O. Stanley	J. E. Walters
Caleb A. Page	Elmer J. Terry	L. M. Weathers
Curtis F. Park	E. J. Thomas	
John H. Pickett	J. A. Thompson	—70

There voted in the negative—

James I Peters —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 440. An Act increasing and fixing the salaries of first assistant commonwealth's attorney and second assistant commonwealth's attorney in counties in this Commonwealth having a populaion of two hundred thousand, or over.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter twenty-four of the Acts of the General Assembly of 1924 entitled, "An Act relating to the office of Commonwealth's Attorney in counties having a population of two hundred thousand, or over, and providing for Assistants, and fixing their salaries," be amended by striking from Section two of said Act the words "shall be Three thousand

Five Hundred Dollars per annum,'' and also by striking from said section of said act the words, ''shall be Three Thousand Dollars per annum,'' and by substituting in lieu thereof the words ''be increased and fixed at Four Thousand Dollars per annum'' for and instead of the words ''shall be Three Thousand Five Hundred Dollars per annum'' immediately after the words ''First Assistant Commonwealth's Attorney'' in the seventh line of said Section of said Act, and also further by substituting the words ''be increased and fixed at Four Thousand Dollars per annum'' for and instead of the words ''shall be Three Thousand Dollars per annum'' immediately after the words ''Second Assistant Commonwealth's Attorney'' in the tenth line of Section two of said Act, so that said Chapter twenty-four, Acts 1924 when so amended and reenacted shall read as follows:

An Act increasing and fixing the salaries of the First Assistant Commonwealth's Attorney and Second Assistant Commonwealth's Attorney in counties of this Commonwealth having a populaion of two hundred thousand, or over.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the offices of First Assistant Commonwealth's Attorney and Second Assistant Commonwealth's Attorney in counties having a population of two hundred thousand, or over, are hereby created.

§ 2. Said First Assistant Commonwealth's Attorney and said Second Assistant Commonwealth's Attorney shall be appointed by the Commonwealth's Attorney for a term of four years, but they shall be subject to removal at any time by the Commonwealth's Attorney. The salary of the First Assistant Commonwealth's Attorney be increased and fixed at Four Thousand Dollars per annum and the salary of the Second Assistant Commonwealth's Attorney be increased and fixed at Four Thousand Dollars per annum, payable out of the county levy in equal monthly installments.

§ 3. Each of the Assistant Commonwealth's Attorneys provided for by this act shall be a citizen of Kentucky and shall, at the time of appointment, reside in the district in which the Commonwealth's Attorney is elected and shall be a licensed practicing lawyer. Said Assistant Commonwealth's Attorney shall have the same powers and perform the same duties that Commonwealth's Attorneys now have and perform, subject to the directions and control of the Commonwealth's Attorney. They shall aid the Commonealth's Attorney in all matters pertaining to his office, and in such manner as he may from time to time designate.

§ 4. In the absence of the Commonwealth's Attorney, the First Assistant Commonwealth's Attorney shall act as Commonwealth's Attorney, without additional compensation; and in the absence of both the Commonwealth's Attorney and the First Assistant Commonwealth's Attorney, the second Assistant Commonwealth's Attorney shall act as Commonwealth's Attorney, without additional compensation.

§ 5. The office of Assistant Commonwealth's Attorney created by an act of March eighteen, nineteen hundred and two, which act is now section one hundred and twenty-five A of the Kentucky Statutes, edited by Honorable John D. Carroll, sixth edition, is abolished, and said act of March eighteen, nineteen hundred and two, being said section one hundred and twenty-five A, is hereby repealed, and all acts and parts in conflict herewith are hereby repealed. In order to relieve the congestion of the docket in circuit courts in counties having a population of two hundred thousand or over, and in order to provide for the immediate relief of such congested condition of the docket, an emergency is hereby declared to exist and this act shall become effective from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of

said bill at length being dispensed with said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Thomas Dunn	Fred V. Lucas
E. S. Allison	J. W. Edwards	H. R. Marquette
U. G. Anderson	William A. Eimer	James A. May
S. A. Blackburn	Garland Embry	Geo. R. McIntosh
D. C. Bradley	Joseph B. Everhart	Henry Meiman
John Young Brown	Virgil Eversole	Harry J. Meyers
John R. Buckman	F. A. Gnau	Clarence Miller
Dr. R. A. Byers	L. B. Hamilton	Russell O. Miller
Lee Clark	H. G. Handmaker	M. F. Moore
Bradley Combs	Rev. B. L. Hargrove	F. Tyler Munford
Elmer Cook	J. F. Harrison	Fred A. Nolte
Leonard Cook	Robt. L. Horn	Caleb A. Page
Ben L. Cox	C. E. Houk	Curtis F. Park
H. G. Crabtree	Grover C. Johnson	J. D. Patton
G. Cunningham	Theron M. Johnson	John H. Pickett
William J. Curtis	J. R. Johnston	Denny P. Smith
Winn Davis	A. R. Kincheloe	Elmer J. Terry
S. J. Douthitt	John B. Klefot	C. B. Truesdell
C. B. Dowling	Frank LeBus	L. M. Weathers
W. C. Dugan	Martin Light	—59

Those who voted in the negative were—

J. Watt Brown	James R. Dorman	Ralph Gilbert
James A. Campbell	Kelly J. Francis	Andrew W. Nichols
W. W. Cooper	John B. Furlong	James I. Peters
		—9

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by

which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 435. An Act authorizing refund of motor vehicle license in event such motor vehicle is destroyed by fire or accident.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That if any motor vehicles upon which the license tax has been duly paid according to law shall be destroyed by fire or accident so that such vehicle shall be rendered entirely useless and unfit for service, the owner thereof shall be entitled to have refunded to him that portion of the license fee paid by him represented by the unexpired part of the calendar year for which the license was granted.

§ 2. In order to obtain the refund provided for in this act, the owner whose car has been destroyed shall make application therefor to the Auditor of Public Accounts, accompanying the same by his own affidavit and the affidavits of two other reputable persons, attesting to the fact that such vehicle has been destroyed, and the manner of such destruction, and shall return the original license plates to the State Tax Commission. It shall be the duty of the State Tax Commission to examine all such applications and investigate the claims for refund, and if found to be correct, to approve the same for payment, whereupon the Auditor shall draw his warrant upon the State Treasurer in favor of the owner of

such destroyed vehicle, and charge the amount thereof to the State road fund.

§ 3. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William J. Curtis	Fred V. Lucas
E. S. Allison	Winn Davis	H. R. Marquette
U. G. Anderson	James R. Dorman	Geo. R. McIntosh
William B. Ardery	S. J. Douthitt	Harry J. Meyers
W. O. Baxter	C. B. Dowling	M. F. Moore
S. A. Blackburn	W. C. Dugan	F. Tyler Munford
D. C. Bradley	William A. Eimer	Fred A. Nolte
John Young Brown	Garland Embry	Caleb A. Page
J. Watt Brown	Joseph B. Everhart	Curtis F. Park
John R. Buckman	Kelly J. Francis	J. D. Patton
Dr. R. A. Byers	John B. Furlong	James I. Peters
James A. Campbell	Rev. B. L. Hargrove	John H. Pickett
Lee Clark	J. F. Harrison	John W. Preston
Bradley Combs	C. E. Houk	D. O. Stanley
Elmer Cook	R. L. Jackson	Elmer J. Terry
W. W. Cooper	Theron M. Johnson	E. J. Thomas
Ben L. Cox	J. R. Johnston	J. A. Thompson
H. G. Crabtree	John B. Klefot	C. B. Truesdell
G. Cunningham	Frank LeBus	—56

Those who voted in the negative were—

Ralph Gilbert	M. F. Jordan	—2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a resolution entitled:

S. Res. 28. Resolution to permit N. B. Sutton and A. S. Turner to sue the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

WHEREAS, on the 23rd day of September, 1925, the Commonwealth of Kentucky by its State Highway Commission entered into two certain contracts with Sutton Construction Company of Ashland, Ky., for the purpose of furnishing and delivering all materials necessary in doing and performing all work and labor required in the construction of two certain highways in Johnson and Martin counties, Kentucky, a distance of 9.863 miles, being officially known as state project No. 34, section A. Federal Aid Project 139 A and State Project No. 34, section A, Federal Aid Project No. 139 B; and,

WHEREAS, after the said Sutton Construction Company began said work various changes were made by the engineers for the State Highway Department in the alignment, grades and curves and otherwise and after said work had been practically completed a controversy arose between the said construction company and the State Highway Commission as to the amount of work done and amount due under said contract and they have been unable to agree as to the amount of work done or amount due; and,

WHEREAS, thereafter an involuntary petition in bankruptcy was filed against the said Sutton Construction Company by its creditors and the said claim in favor of the said Sutton Construction Company growing out of said contracts was sold by the trustee in bankruptcy to N. B. Sutton and A. S. Turner by an order of the United States District Court; and

WHEREAS, said claim has never been adjusted:

Now, therefore, be it resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That N. B. Sutton and A. S. Turner be and they are hereby authorized and permitted to sue the Commonwealth of Kentucky in the Franklin Circuit Court in order to settle said controversy and to determine whether there is due and unpaid to the said Sutton Construction Company or its assigns any further sum growing out of said contract.

§ 2. Either party to said suit may appeal from any judgment which may be rendered therein from the Franklin Circuit Court to the Court of Appeals, and the case may be settled and adjuster with the consent and approval of the Attorney General of Kentucky in the same way as any other civil cases.

Ordered that said resolution be read the third time.

The constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	William B. Ardery	John Young Brown
U. G. Anderson	S. A. Blackburn	J. Watt Brown

John R. Buckman	Joseph B. Everhart	Caleb A. Page
Dr. R. A. Byers	John B. Furlong	Curtis F. Park
James A. Campbell	F. A. Gnau	J. D. Patton
Lee Clark	L. B. Hamilton	James I. Peters
Bradley Combs	H. G. Handmaker	John H. Pickett
Leonard Cook	R. L. Jackson	John W. Preston
W. W. Cooper	John B. Klefot	Denny P. Smith
Ben L. Cox	Frank LeBus	D. O. Stanley
H. G. Crabtree	H. R. Marquette	Frank L. Strange
William J. Curtis	James A. May	Elmer J. Terry
Winn Davis	Geo. R. McIntosh	E. J. Thomas
James R. Dorman	T. R. McRoberts	C. B. Truesdell
S. J. Douthitt	M. F. Moore	J. D. Via
W. C. Dugan	B. T. Morris	J. E. Walters
William A. Eimer	F. Tyler Munford	L. M. Weathers
Garland Embry	H. L. Nickell	
J. O. Evans	Fred A. Nolte	—55

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 56. An Act to require all owners and lessees of all ferries operated on any stream in the Commonwealth where roads and public highways are included in the state primary system and are state and federal maintained, to provide and make warning signs and signal lights at certain distances from the river, and to provide penalties for violation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That where ferries are operated for fees on streams in the Commonwealth where roads and public highways cross, that are included in the State Primary system and are State or Federal maintained, the owners or lessees shall cause to be placed and maintained at all times during daylight, warning signs of adequate size at distances of five hundred feet and one hundred feet from the river bank, and at such distances from the river bank, shall, during all other hours, maintain red warning lights.

§ 2. That where ferries are operated for fees on streams in this Commonwealth where roads and public highways cross, that are included in the State Primary system and are state or federal maintained, owners or lessees shall cause to be placed and maintained at all times at each landing, a dock, durably constructed and of sufficient size to accommodate two 2½ ton trucks or two 7 passenger automobiles, which dock shall be securely moored to the shore and shall be provided with iron bars or pipes securely fastened to strong, upright, well braced posts, and said bars shall be kept up in place at all times except when boat is secured to dock. The whole construction of dock, mooring, bars and fastenings shall be strong enough to resist the impact of cars or trucks under reasonable circumstances.

§ 3. Provided also that ferry boats using aprons where it is not practical to operate docks, shall be moored to ¾″ iron rings secured to rods of iron of the same size, with splay foot and imbedded in eight inch concrete roadway by a chain on each gunwale securely bolted to same and fastened to iron ring with bolt set in concrete, said chain to be of Swedish iron of ⅝″ size.

§ 4. Any owner or lessee of such ferry, whether an individual, association, joint stock company or syndicate, failing to comply with any of the requirements of this act, shall be guilty of misdemeanor and upon conviction thereof

such owner or lessee operating such ferry shall be fined not less than One Hundred Dollars for each day such owner or lessee fails to comply with such requirements, and for the third conviction under this Act the Charter shall be revoked. The type of dock or apron erected shall be subject to the approval of the Highway Commission.

§ 5. All laws or parts of laws in conflict with this Act are hereby repealed.

Mr. Hargrove offered the following amendment to said bill, viz.:

Amend S. B. 56 by striking out the following in line 6, page 2 of printed bill "two (2½) ton trucks or two seven passenger automobiles" and substitute therefor the following: "one 2½ ton truck or one seven passenger automobile."

Said Amendment was disagreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John R. Buckman	Ben L. Cox
E. S. Allison	Dr. R. A. Byers	H. G. Crabtree
U. G. Anderson	Lee Clark	William J. Curtis
W. O. Baxter	Bradley Combs	J. J. Davis
D. C. Bradley	Elmer Cook	Winn Davis
John Young Brown	Leonard Cook	S. J. Douthitt
J. Watt Brown	W. W. Cooper	C. B. Dowling

J. W. Edwards	John B. Klefot	D. O. Stanley
William A. Eimer	Frank LeBus	Frank L. Strange
Garland Embry	Martin Light	H. L. Taylor
John B. Furlong	James A. May	E. J. Thomas
Ralph Gilbert	T. R. McRoberts	J. A. Thompson
F. A. Gnau	F. Tyler Munford	H. Speed Tye
L. B. Hamilton	M. L. Napier	J. D. Via
H. G. Handmaker	Andrew W. Nichols	J. E. Walters
Rev. B. L. Hargrove	Curtis F. Park	L. M. Weathers
R. L. Jackson	James I. Peters	G. W. Wigginton
J. R. Johnston	John H. Pickett	Robert Williams
M. F. Jordan	W. E. Randall	—56

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 453. An Act to amend section one of Chapter 1991 of the Kentucky Statutes, Carroll's Edition of 1930, Act of 1926, and re-enacting same, concerning the employees of the General Assembly.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That section one of chapter 1991 of Carroll's Kentucky Statutes, 1930 edition, be amended by striking from so much of said section as reads: "That of the assistant clerk six-

teen dollars ($16),'' and by adding after the words and figures, ''twenty-six dollars ($26),'' that of the assistant clerk twenty-six ($26) dollars, so that said section when so amended shall read as follows:

(1) All of said employees shall receive a per diem and it shall be as follows: that of the chief clerk twenty-six dollars ($26); that of the assistant clerk twenty-six dollars ($26); that of the enrolling clerk thirteen dollars ($13); that of the sergeant-at-arms twelve dollars ($12); that of the doorkeeper eighteen dollars ($18); that of janitor nine dollars ($9); that of cloak room keeper twelve dollars ($12) and that of the pages eight dollars ($8) each.

The above amendment shall apply to the present Session of the General Assembly.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James A. Campbell	James R. Dorman
E. S. Allison	Lee Clark	S. J. Douthitt
U. G. Anderson	Bradley Combs	C. B. Dowling
William B. Ardery	Elmer Cook	W. C. Dugan
W. O. Baxter	Leonard Cook	Thomas Dunn
S. A. Blackburn	W. W. Cooper	J. W. Edwards
D. C. Bradley	Ben L. Cox	William A. Eimer
T. L. Britton	H. G. Crabtree	Garland Embry
John Young Brown	G. Cunningham	Joseph B. Everhart
John R. Buckman	William J. Curtis	Virgil Eversole
Dr. R. A. Byers	Winn Davis	Kelly J. Francis

John B. Furlong	Frank LeBus	H. L. Nickell
F. A. Gnau	Martin Light	Fred A. Nolte
L. B. Hamilton	Fred V. Lucas	Caleb A. Page
H. G. Handmaker	Joseph Martin	J. D. Patton
Rev. B. L. Hargrove	James A. May	John H. Pickett
R. L. Jackson	T. R. McRoberts	John W. Preston
Grover C. Johnson	Henry Meiman	W. E. Randall
J. Roy Johnson	Harry J. Meyers	D. O. Stanley
Theron M. Johnson	Clarence Miller	Frank L. Strange
J. R. Johnston	Russell O. Miller	E. J. Thomas
M. F. Jordan	M. F. Moore	Thomas H. Troxel
A. R. Kincheloe	B. T. Morris	C. B. Truesdell
John B. Klefot	F. Tyler Munford	—71

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 400. An Act to appropriate $74,505.45, for the purpose of providing payment of deficit in the budget of the Custodian of Public Buildings, being section 24 of Chapter 12 of the Acts of the 1928 Legislature; providing funds for the payment of salaries of Custodian of Public Buildings and other employees, repairs, supplies, permanent improvements to public buildings and other maintenance and operating expenses, including printing and stamps for Custodian of Public Buildings to July 1, 1930; and providing an emergency clause.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There are accounts chargeable against the Custodian of Public Buildings to January 1, 1930, amounting to $16,082.83; that on said date the Custodian of Public Buildings budget was over-drawn $8,472.62; that in order to pay the salaries of the Custodian of Public Buildings, and other employees from February 1, 1930, to July 1, 1930, and to pay for repairs, supplies, permanent improvements on public buildings and other maintenance and operating expenses, including printing and stamps of the Custodian from January 1, 1930, to July 1, 1930, it will require $49,950.

In order to provide for the payment of said deficit, and make provisions for the payment of salaries to the Custodian and other employees, and to pay for repairs, supplies and permanent improvements on public buildings and other maintenance and operating expenses, including stamps and printing of the Custodian, the sum of $74,505.45, is hereby appropriated to be paid out of the general expenditure fund for governmental purposes.

§ 2. Those who have valid claims against the budget of the Custodian of Public Buildings are demanding payment; the over-draft in said budget should be provided for immediately, and repairs and permanent improvements should be made immediately, there is hereby declared an emergency to exist and this act shall become operative from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James R. Dorman	John B. Klefot
E. S. Allison	S. J. Douthitt	Frank LeBus
U. G. Anderson	C. B. Dowling	Martin Light
William B. Ardery	W. C. Dugan	Fred V. Lucas
W. O. Baxter	J. W. Edwards	James A. May
S. A. Blackburn	William A. Eimer	Harry J. Meyers
D. C. Bradley	Garland Embry	Clarence Miller
John Young Brown	J. O. Evans	Russell O. Miller
J. Watt Brown	Joseph B. Everhart	M. F. Moore
John R. Buckman	Kelly J. Francis	M. L. Napier
Dr. R. A. Byers	John B. Furlong	H. L. Nickell
James A. Campbell	F. A. Gnau	Fred A. Nolte
Lee Clark	L. B. Hamilton	Curtis F. Park
Bradley Combs	H. G Handmaker	John W. Preston
Elmer Cook	Rev. B. L. Hargrove	D. O. Stanley
W. W. Cooper	C. E. Houk	Elmer J. Terry
Ben L. Cox	J. Roy Johnson	H. Speed Tye
H. G. Crabtree	Theron M. Johnson	Dr. Vallandingham
G. Cunningham	J. R. Johnston	J. D. Via
Winn Davis	M. F. Jordan	G. W. Wigginton

—60

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 176. An Act amending Section 3545 of Carroll's Kentucky Statutes, 1922 Edition, relating to the charter of cities of the fourth class, and authorizing the city council of

cities of the fourth class to impose upon the city clerk the duties of tax collector.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section Three Thousand Five Hundred Forty-Five of Carroll's Kentucky Statutes, Nineteen Hundred Twenty-two Edition, relating to the charter of cities of the fourth class be, and the same is, hereby amended so as to authorize the city council of cities of the fourth class to provide by ordinance for the city clerk to perform the duties of tax collector, and that said amendment be effected by inserting in said section immediately following the word "collector" as used in the twenty-fourth line thereof the words, "or it may by ordinance provide that the clerk shall perform the duties of collector," and by adding at the end of said section the words, "or at the office of the clerk, as may by ordinance be provided;" so that said section, as amended, shall read as follows:

"Section 3545. Appointment of Collector; Qualifications, Oath and Bond; Compensation.—At any regular meeting of the council they may appoint a collector, who shall hold his office for two years from his appointment, and until his successor is appointed and qualified. The collector shall be over twenty-four years of age, and a resident of the city for six months before his appointment. Before he enters upon his duties he shall take an oath to faithfully perform his duties as collector, and execute bond, with security to be approved by the council, conditioned for the faithful performance of his duties, and to pay over to the person or persons entitled thereto. It shall be the duty of said collector to collect all dues owing to the town placed in his hands. The counsel shall fix by ordinance, previous to his appointment, the compensation for his services. All dues

owing to the city may be collected by the chief of police: Provided, the board of council may, by ordinance, provide that the treasurer shall perform the duties of collector, or it may by ordinance provide that the clerk shall perform the duties of collector. No demand shall be necessary for the collection of said taxes, but the same shall be payable at the office of the town treasurer, or at the office of the clerk, as may by ordinance be provided."

An emergency is hereby declared to exist and this act shall take effect upon its passage.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by his title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	H. G. Crabtree	J. F. Harrison
E. S. Allison	G. Cunningham	Robt. L. Horn
W. O. Baxter	William J. Curtis	C. E. Houk
S. A. Blackburn	Winn Davis	R. L. Jackson
D. C. Bradley	S. J. Douthitt	Grover C. Johnson
T. L. Britton	C. B. Dowling	J. Roy Johnson
J. Watt Brown	W. C. Dugan	Theron M. Johnson
John R. Buckman	J. W. Edwards	J. R. Johnston
Dr. R. A. Byers	William A. Eimer	A. R. Kincheloe
James A. Campbell	Garland Embry	John B. Klefot
Lee Clark	J. O. Evans	Frank LeBus
Bradley Combs	Joseph B. Everhart	Martin Light
Elmer Cook	John B. Furlong	Fred V. Lucas
Leonard Cook	L. B. Hamilton	Joseph Martin
W. W. Cooper	H. G. Handmaker	James A. May
Ben L. Cox	Rev. B. L. Hargrove	Henry Meiman

Harry J. Meyers	Curtis F. Park	J. A. Thompson
Clarence Miller	J. D. Patton	H. Speed Tye
H. L. Nickell	D. O. Stanley	J. E. Walters
Fred A. Nolte	Elmer J. Terry	L. M. Weathers
Caleb A. Page	E. J. Thomas	G. W. Wigginton

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 229. An Act to amend subsection 9 of Section 3704 of Kentucky Statutes, Carroll's Edition, Supplement 1922-1924, relating to Cemeteries owned by cities of the sixth class; to provide for their control and management, provide for the establishment, perpetuation and control of endowment funds the income from which shall be used and expended for the care, improvement and maintenance of cemeteries:

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Subsection 9 of section 3704 of Kentucky Statutes, as amended by the acts of the General Assembly of 1922, Carroll's Supplement, 1922-1924, be and the same is hereby amended by adding to said section, and subsection, the following:

9a. When the town shall own a cemetery the board of Trustees, may, by ordinance, provide for its care and maintenance, in whole or in part, by income from endowment funds which have been, or may be derived from the treasury of the town or from other sources, and such funds shall be held perpetually for said use and shall forever be kept, held and managed separate from all other business and funds of the town. The ordinance shall provide ways and means for the establishment of such fund and to effectuate its accumulation and preservation the Board of Trustees may, by ordinance, place the accumulation, control and management of these funds in the custody of a corporation which has been or may be incorporated for the sole purpose of owning, holding and managing cemeteries, without profit, and the treasurer of such corporation shall be required to make bond for the faithful performance of his duties in the preservation of the said funds and the expenditure of income therefrom in accordance with the provisions of such ordinance. The said corporation shall have power to take title to and hold, in its name, for the use and benefit of the town all lands acquired by the town, for cemetery purposes and may by its president and secretary make deeds for burial rights on all cemetery lots and perform all other duties, required of the chairman and clerk of the town board of trustees, by the preceding subsection 9 under such terms and conditions as the board of trustees may require in said ordinance. But the board of trustees shall fix the price at which lots, or the rights of interment, shall be sold and shall require reports from the said holding corporation at stated times to safe-guard the faithful execution of the trust.

So that when the said section and subsections are amended said subsections shall read as follows:

9. Cemetery; Control and Management of; Records plat and title to lots. When the town owns a cemetery, it shall be under the management and control of the town board of trustees; they shall fix the price at which lots shall be sold,

and make deeds therefor. The board of trustees may have a plat made of any cemetery or addition thereto, which shall show the size and location of the blocks into which the same may be divided and of the lots which such blocks may contain, the several blocks of which shall be indicated on such plat by letters and such lots by number. Such plat shall be acknowledged by the mayor or chairman of the board of trustees of such town, with the seal thereon affixed, attested by the clerk and shall be lodged in the office of the clerk of the county in which such city or town is situated, and be made a permanent record. The deed given as evidence of title to a lot in such cemetery shall describe such lot by reference to the block in which it is located and by giving the number of the lot therein, and shall be acknowledged by the mayor or chairman of the board of trustees of the town, attested by the clerk.

9a When the town shall own a cemetery, the board of trustees, may by ordinance, provide for its care and maintenance, in whole or in part, by income from endowment funds which have been or may be derived from the treasury of the town or from any other sources, and such funds shall be held perpetually for said use and shall forever be kept and held and managed separate from all other business and funds of the town. The ordinance shall provide ways and means for the establishment of such funds and to effectuate its accumulation and preservation. The board of trustees may, by ordinance, place the accumulation, control and management of these funds in the custody of a corporation which has been or may be incorporated for the sole purpose of owning, holding and managing cemeteries, without profit, and the treasurer of such corporation shall be required to make bond for the faithful performance of his duties in the preservation of such funds and the expenditure of the income therefrom in accordance with the provisions of such ordinance. The said corporation shall have power to take title to and hold in its name, for the use and benefit of the town, all lands acquired for cemetery purposes, by the town, and may by its president

and secretary make deeds for burial rights on all cemetery lots and perform all other duties required of the chairman and clerk of the town board of trustees, by the preceding subsection 9 under such terms and conditions as the board of trustees may require in said ordinance. But the board of trustees shall fix the price at which lots, or the rights of interment, shall be sold and shall require reports from the said holding corporation at stated times to safe-guard the faithful execution of the trust.

All laws and parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Leonard Cook	John B. Furlong
E. S. Allison	W. W. Cooper	L. B. Hamilton
U. G. Anderson	Ben L. Cox	Rev. B. L. Hargrove
William B. Ardery	H. G. Crabtree	Robt. L. Horn
W. O. Baxter	G. Cunningham	Grover C. Johnson
S. A. Blackburn	Winn Davis	J. Roy Johnson
D. C. Bradley	S. J. Douthitt	Theron M. Johnson
John Young Brown	C. B. Dowling	A. R. Kincheloe
J. Watt Brown	W. C. Dugan	Frank LeBus
John R. Buckman	J. W. Edwards	Martin Light
Dr. R. A. Byers	William A. Eimer	B. K. Marshall, Jr.
James A. Campbell	Garland Embry	Joseph Martin
Bradley Combs	J. O. Evans	James A. May
Elmer Cook	Joseph B. Everhart	Henry Meiman

Harry J. Meyers	Fred A. Nolte	Frank L. Strange
Clarence Miller	Curtis F. Park	E. J. Thomas
Russell O. Miller	J. D. Patton	Thomas H. Troxel
M. F. Moore	James I. Peters	H. Speed Tye
B. T. Morris	John W. Preston	Dr. Vallandingham
Andrew W. Nichols	Denny P. Smith	J. D. Via
H. L. Nickell	D. O. Stanley	G. W. Wigginton

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Those who voted in the negative were—

Fred V. Lucas T. R. McRoberts —2

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Dorman of the Rules Committee moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

Then the House recessed.

NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The Committee heretofore appointed by the General Assembly to investigate the Charitable and Penal Institutions, made the following report, viz.:

REPORT OF JOINT LEGISLATIVE COMMITTEE ON CHARITABLE AND PENAL INSTITUTIONS.

I.

"The Black Hole of Kentucky" is located at Frankfort. It is called the State Reformatory, but is a reformatory in name only. Two thousand three hundred and fourteen prisoners are confined in the space of one city block. They live in old buildings and for the most part amidst bad sanitary conditions. Modern sanitation is practically unknown, tin pails being used as toilets throughout the night time in each of the 1,128 cells. In most cells, built for one man, there are two men. Breathing space is at a premium. The conditions are such that the State not only imprisons those found guilty of crime, but imperils and in most instances, exacts their health.

Dormitories, where the prisoners are "elevated" for good behacior, cannot be described in the word "crowded." As many as one hundred and sixty-five men are forced to sleep in the same room. Recently chapel services for the prisoners have been discontinued, due to the demand for space. Sixty-five beds are in the chapel, and in this season of the year when courts are in session prisoners continue to pour in daily.

On the women's side conditions are even worse. Your committee made a surprise visit in the night time, and found the corridors filled with prisoners sleeping on mattresses upon the floors. Members of the committee were forced to step over and around these inmates. The cells are overcrowded beyond their capacity. Cooking for the one hundred and twenty-five inmates of the women's department is confined to a kitchen approximately fifteen feet square, smaller than in many private homes. The dining room and only recreational room are each eighteen by thirty (18x30) feet. The small hospital ward is being used for sleeping quarters. The white and colored are in adjoining beds. The antiquated looms are about the only means of working the women prisoners.

The committee also finds there are four hundred and seventy-five inmates in this one institution who are eligible for parole, they having complied with the parole law, but whose parole has been for some reason denied. Your committee has not had the time to investigate any of the cases in order to determine for itself whether or not any of these prisoners ought to be released, but it is informed by David H. Young, Acting Warden of the Prison, that in his opinion approximately fifty per cent of this number ought to be set free without delay.

Segregation of the prisoners is impossible. The young first offender is in constant contact with the hardened criminal. Reform cannot be accomplished. Your committee is informed by the officials of the institutions that due to the crowded conditions, sodomy, etc., cannot be prohibited. The whole institution is a fire trap. An epidemic of disease could not be stopped.

Your committee recommends:—

1. For immediate relief which is imperative:—the prompt parole of such prisoners as ought to be paroled.

2. The early abandonment of the present site, except for the few hardened criminals, and the purchase of a penal farm in the south central section of Kentucky, and the erection of a modern prison thereon.

Your committee calls attention to the provisions of the Hawse-Cooper bill, now a law, which within four years will cause the abandonment of the present method of labor in the prison. All of the state's printing should be done in the new institution. The prisoners ought to be placed at hard work on the roads daily in the section of the State where the prison is located.

II.

Conditions in the Eddyville prison are not as bad as those in the Frankfort prison. It is crowded, however, and relief is needed.

III.

The Eastern State Hospital for the Insane:—Conditions in the Eastern State Hospital for the Insane at Lexington are just as bad, if not more so, than at the reformatory. These poor creatures have not committed any crime. They are sleeping in the hallways; are crowded in rooms, as many as thirteen beds being counted in one room where there is only one window. Rest rooms are hardly known. Such as there are, are crowded beyond description. The inmates, these dependents of a great State, are compelled to live in more congested conditions than the law of the State permits cattle to be shipped over its railroads. Here also, it is impossible to properly segregate or employ the inmates. There is hardly any opportunity for rehabilitation. The main buildings are old, with wooden floors and wooden stairways. They constitute a fire trap. It seems to the committee that it would be impossible to prohibit the death of scores of these mental unfortunates in the event of a fire. Here, too, it would be impossible to stop an epidemic of disease. The populace ought to be alarmed.

Your committee recommends the purchase of additional land; the immediate erection of new dormitories, and the early construction of other buildings and the ultimate abandonment of the oldest buildings, and the immediate acquirement of modern equipment.

IV.

Western State Hospital for Insane:—This, too, is an antiquated structure. It is badly overcrowded. New buildings and modern equipment are needed here without delay.

V.

Central State Hospital at Lakeland:—This is the most modern of all of the hospitals for the insane, but here the capacity is also crowded. Perhaps improvement in the other two hospitals would be sufficient, but your committee sees here also, need for improvements.

VI.

Boys and Girls School of Reform, Greendale:—Due to crowded conditions, this, too, can hardly be called a reform school. A new building for the girl prisoners is needed without delay. Another imperative need is a graded school building. Your committee also recommends the opening of high school classes at this place if it is to serve the purposes intended.

School for the Deaf at Danville:—The buildings are old and new buildings are badly needed.

School for Blind at Louisville:—New buildings are needed. Equipment ought to be provided.

As heretofore stated, the members of your committee have had no opportunity to make other than a hurried examination of these state institutions, but it is satisfied that immediate relief in some form should be provided. If none is provided, the State, if it were possible, ought to be indicted for "criminal neglect."

Your committee in this report does not desire in the least to criticize the present management of the institutions above named, but it would rather commend those in immediate charge of each institution for the handling of their own situation in view of the aforementioned difficulties and others not mentioned herein.

Your committee is informed that the revenue from the sales tax bill, which was passed at the present session of the Legislature will provide an income of approximately two million dollars a year for the above named institutions, which, if true, will be ample for starting, and within a short time completing, the relief above recommended. But if for any cause the said sales tax act should be declared invalid by the Courts your committee earnestly recommends the immediate submission of a bond issue to the people to provide for the relief so badly needed.

The amount of the bond issue should be approximately six million dollars and ought not to be for any other purpose

than for the institutions above named. Furthermore, your committee recommends that in the act creating said bond issue there ought to be named a Board of Trustees to have complete charge of the expenditure of this money, and your committee recommends men of the character of Houston Quinn, of Louisville, Desha Breckenridge, Lexington, and Robert Rhodes, Bowling Green, and others. In such men the people of Kentucky have confidence; they would not be classed as the political clique of any party in power; their integrity could not be questioned; and with such men named to be in charge of the bonds your committee believes the money would be wisely distributed and spent for the advantage of the State, and further believes that such a board would incite confidence from the people so that said bond issue would be approved at the polls.

Respectfully submitted,

A. W. NICHOLS,
T. O. TURNER,
N. U. BOND,
ALLEN R. KINCHELOE,
THOS. J. DUNN,
J. J. MCBRAYER,
Committee.

Appointed by joint resolution
on March ....., 1930.

Mr. Nichols moved that said report be approved and spread upon the Journal of the House.

Said motion was agreed to.

Mr. Miller moved that the vote by which a bill entitled:

S. B. 111. An Act regulating the planting of trees, shrubs or other growths within the State Highways, etc.

Was rejected, having failed to receive a Constitutional majority, be reconsidered.

Said motion was agreed to.

Thereupon the House proceeded to reconsider said bill.

(For bill see Journal of today ante)

After such reconsideration, the question being taken upon the passage of said bill, and it was decided in the affirmative.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	C. B. Dowling	Frank LeBus
E. S. Allison	W. C. Dugan	Martin Light
U. G. Anderson	Thomas Dunn	Fred V. Lucas
William B. Ardery	J. W. Edwards	H. R. Marquette
W. O. Baxter	William A. Eimer	B. K. Marshall, Jr.
S. A. Blackburn	Garland Embry	Joseph Martin
D. C. Bradley	Joseph B. Everhart	Henry Meiman
T. L. Britton	John B. Furlong	Harry J. Meyers
John Young Brown	F. A. Gnau	Clarence Miller
John R. Buckman	L. B. Hamilton	Russell O. Miller
Dr. R. A. Byers	H. G. Handmaker	M. F. Moore
Lee Clark	J. F. Harrison	B. T. Morris
Bradley Combs	Robt. L. Horn	F. Tyler Munford
Elmer Cook	R. L. Jackson	H. L. Nickell
W. W. Cooper	Grover C. Johnson	Fred A. Nolte
Ben L. Cox	J. Roy Johnson	Caleb A. Page
H. G. Crabtree	Theron M. Johnson	Curtis F. Park
G. Cunningham	J. R. Johnston	J. D. Patton
William J. Curtis	M. F. Jordan	James I. Peters
Winn Davis	A. R. Kincheloe	John W. Preston
S. J. Douthitt	John B. Klefot	Frank L. Strange

E. J. Thomas Dr. Vallandingham G. W. Wigginton
Thomas H. Troxel J. D. Via Robert Williams
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Those who voted in the negative were—

J. Watt Brown Leonard Cock T. R. McRoberts
James A. Campbell —4

Mr. Dorman of Rules Committee moved that the vote by which said bill was reconsidered and passed, be reconsidered, and that said motion lie on the table.

Said last named motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 385. An Act to amend Section 2 of an act entitled, An Act requiring that before a deed to real estate title to which has been acquired by the grantor or grantors therein by descent from an ancestor shall be filed for record, an affidavit shall be filed with the clerk of the county court of the county in which the land is located, showing the name and place of residence at time of death of such ancestor, that he or she died intestate, whether married or single at time of death and if married the name of the surviving husband or wife, the names, ages and addresses, so far as known, of each of such ancestor's heirs, the relationship of each to said ancestor and the interest inherited by each, requiring the clerk to record and index such affidavit, fixing his fee for such, making it unlawful for the clerk to receive such deed for record until such affidavit is filed, providing a penalty for violation thereof, and providing a penalty for fraudulent making and filing such affidavit, which was passed and approved March 19, 1928, and further relating to the recording of deeds, conveying title to real estate acquired by grantors by descent from an ancestor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 2 of an Act entitled an act requiring that before a deed to real estate title to which has been acquired by the grantor or grantors therein by descent from an ancestor shall be filed for record, an affidavit shall be filed with the clerk of the County Court of the county in which the land is located, showing the name and place of residence at time of death of such ancestor, that he or she died intestate, whether married or single at time of death and if married the name of the surviving husband or wife, the names, ages and addresses, so far as known, of each of such ancestor's heirs, the relationship of each to said ancestor and the interest inherited by each, requiring the clerk to record and index such affidavit, fixing his fee for such, making it unlawful for the clerk to receive such deed for record until such affidavit is filed, providing a penalty for violation thereof, and providing a penalty for fraudulent making and filing such affidavit, which was passed and approved March 19, 1928, be and the same is hereby amended and re-enacted so that said Section when amended and re-enacted shall read as follows:

Section 2. It shall be unlawful for any county court clerk or deputy county court clerk to receive or permit to be lodged for record any such deed until such affidavit shall have been presented to him, but nothing in this act shall be construed to invalidate the recording as legal notice any such deed if heretofore or hereafter lodged for record prior to filing of such affidavit.

Section 3. All acts in conflict herewith are to the extent of such conflict hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	John B. Furlong	Harry J. Meyers
E. S. Allison	Ralph Gilbert	Clarence Miller
U. G. Anderson	F. A. Gnau	Russell O. Miller
W. O. Baxter	L. B. Hamilton	M. F. Moore
S. A. Blackburn	H. G. Handmaker	B. T. Morris
D. C. Bradley	Rev. B. L. Hargrove	F. Tyler Munford
John Young Brown	J. F. Harrison	M. L. Napier
J. Watt Brown	Robt. L. Horn	Andrew W. Nichols
John R. Buckman	C. E. Houk	Curtis F. Park
Dr. R. A. Byers	R. L. Jackson	W. E. Randall
James A. Campbell	Grover C. Johnson	Dorsey Ratliff
Lee Clark	J. Roy Johnson	Frank L. Strange
Bradley Combs	Theron M. Johnson	H. L. Taylor
Elmer Cook	J. R. Johnston	Elmer J. Terry
W. W. Cooper	M. F. Jordan	E. J. Thomas
Ben L. Cox	A. R. Kincheloe	J. A. Thompson
H. G. Crabtree	John B. Klefot	Thomas H. Troxel
Winn Davis	Frank LeBus	C. B. Truesdell
James R. Dorman	Martin Light	H. Speed Tye
S. J. Douthitt	Fred V. Lucas	Dr. Vallandingham
W. C. Dugan	H. R. Marquette	J. D. Via
William A. Eimer	James A. May	J. E. Walters
Garland Embry	Geo. R. McIntosh	L. M. Weathers
J. O. Evans	T. R. McRoberts	G. W. Wigginton
Kelly J. Francis	Henry Meiman	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 293. An Act to amend and re-enact Section 301, Kentucky Statutes, Carroll's 1922 Edition, same being Chapter 32 of the Acts of the General Assembly of 1914, relating to the powers and duties of the Board of Visitors of the Kentucky School for the Blind.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 301, Kentucky Statutes, Carroll's 1922 Edition, same being Chapter 32 of the Acts of the General Assembly of 1914, be amended and re-enacted so that, when amended, said section shall read as follows:

1. That the board of visitors, or majority, shall appoint from their own body a president at their first meeting, who shall preside at the meeting of said board, and do and perform other duties required of him by the by-laws, rules and regulations, or orders of said board; and said board shall appoint a secretary to keep a regular record of their proceedings, and to perform any other duties the board may require of him. The said board of visitors may receive, by legacy or otherwise, money, land and other property, and use, retain and apply the same to the use and benefit of said institution. The board of visitors shall have the possession, preservation, repairs and control of the buildings and ground belonging to this state, dedicated to the education of the blind in the city

of Louisville. And said board of visitors shall have the direction, control, and management of the special and general matters, concerns and interest of said property and institution. Said board shall have the right and authority to use all money derived from the sale of articles produced or manufactured at the Kentucky Workshop for the Adult Blind in the erection and repairing of buildings and the purchase of material and equipment by it deemed necessary for the efficient operation of said workshop, and said board shall have the further power to sell all lands and other property now held by them for the use and benefit of the Kentucky School for the Blind, and to purchase other lands deemed by them in their discretion suitably and conveniently located, and to erect thereon all cottages, workshops and other buildings necessary for the carrying out of the purposes of this act.

§ 2. That said board of visitors may employ a superintendent, a physician, matron, professors, teachers, servants, and all other necessary agents and employees, and fix their pay or compensation for their services; prescribe and direct their duties and conduct; remove at pleasure any superintendent, matron, professor, teacher, servant, agent, or employee, and prescribe the course of education for the pupils in said institution and rules for their government and discipline, and fix and regulate tuition fees and terms of admission of pupils into said institution from other states; but no charge shall be made for the admission of pupils from this State.

§ 3. The said board of visitors shall have power to pass such by-laws, rules and regulations, resolutions, orders, instructions, as a majority of said board shall consider fit and proper to carry into effect and force the powers herein granted, and may repeal, amend, or annul any such acts or proceedings, and adopt others to effectuate the objects of the said institution. The said board of visitors shall meet at least once each month of each year, at any place in the city of Louisville, and may meet oftener, if necessary, to transact

the business committed to their charge; and the president or any two members of the said board may call a meeting of the board. In the absence of the president, the board may elect a president pro tem, and may supply the place of a secretary, when he is absent, in the same manner.

The said board of visitors shall require from the superintendent, annually, a full and detailed statement of the condition of said institution, the name of each employee, including matron, professors, teachers, servants, and agents; the pay or salary of each, annually or monthly; the number and names of pupils, the residence of each, the number of pay pupils, the amount paid by them, and a full account and statement of the receipts from all sources, and expenditure and outlays of the institution in the preceding year; and may require from the superintendent any other information or facts within the duties prescribed by the board of visitors to him. That said board of visitors shall elect a treasurer of said institution, who shall, before he enters upon the duties of his office, execute bond, with good security, to be approved by the governor of this state, payable to the Commonwealth of Kentucky, in the penal sum of twenty thousand dollars, conditioned well and truly to discharge the duties of the office of treasurer of the "Kentucky Institution for the Blind," and pay over and account for all money, and to account for and deliver all property or evidence of debt or of value placed in his hands or possession as treasurer of said institution, on the order of the board of visitors, which bond may be enforced and recovery had on a breach thereof by motion or action at law, as in case of official bonds of sheriffs within the commonwealth, and shall be delivered to the Auditor of Public Accounts for safekeeping.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	T. R. McRoberts
E. S. Allison	Thomas Dunn	Harry J. Meyers
U. G. Anderson	J. W. Edwards	Clarence Miller
William B. Ardery	William A. Eimer	M. F. Moore
S. A. Blackburn	Garland Embry	M. L. Napier
D. C. Bradley	Joseph B. Everhart	Andrew W. Nichols
John Young Brown	Kelly J. Francis	H. L. Nickell
J. Watt Brown	John B. Furlong	Fred A. Nolte
John R. Buckman	Ralph Gilbert	Curtis F. Park
Dr. R. A. Byers	F. A. Gnau	John W. Preston
James A. Campbell	L. B. Hamilton	W. E. Randall
Lee Clark	H. G. Handmaker	Dorsey Ratliff
Bradley Combs	J. F. Harrison	Denny P. Smith
Elmer Cook	Robt. L. Horn	D. O. Stanley
Leonard Cook	R. L. Jackson	Frank L. Strange
W. W. Cooper	Grover C. Johnson	Elmer J. Terry
Ben L. Cox	M. F. Jordan	E. J. Thomas
H. G. Crabtree	A. R. Kincheloe	J. A. Thompson
G. Cunningham	Frank LeBus	Thomas H. Troxel
William J. Curtis	Fred V. Lucas	Dr. Vallandingham
E. C. Dennington	B. K. Marshall, Jr.	J. E. Walters
James R. Dorman	Joseph Martin	L. M. Weathers
S. J. Douthitt	James A. May	G. W. Wigginton
C. B. Dowling	Geo. R. McIntosh	Robert Williams

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There voted in the negative—

Russell O. Miller —1

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 109. An Act making it the duty of the State Inspector and Examiner to inspect and examine the office of the sheriff, county attorney and county judge and to report whether or not the county judge and county attorney have complied with the requirements of Section 4153 (31), Kentucky Statutes.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

It shall be the duty of the State Inspector and Examiner to examine and inspect the office of Sheriff, county attorney, county judge and county clerk of each county and to report to the Governor and to the Attorney General of this Commonwealth whether or not the county attorney of each county has given the notice required of him to the owner of lands sold within fifty days after the sale, and whether or not the county attorney has instituted such proceedings as required by said Section within the time specified in Section 4153 (31) and to determine whether or not the county judge has made a report of each and every failure of the county attorney to give notice and institute suits as therein required and said State Inspector and Examiner shall report in writing to the Governor and Attorney General his finding of any violation of said Section by either the county attorney or county judge.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Joseph B. Everhart	M. L. Napier
E. S. Allison	Virgil Eversole	Andrew W. Nichols
U. G. Anderson	Kelly J. Francis	Fred A. Nolte
William B. Ardery	John B. Furlong	Curtis F. Park
W. O. Baxter	Ralph Gilbert	J. D. Patton
D. C. Bradley	H. G. Handmaker	John H. Pickett
John Young Brown	J. F. Harrison	John W. Preston
J. Watt Brown	Robt. L. Horn	W. E. Randall
Dr. R. A. Byers	C. E. Houk	Dorsey Ratliff
James A. Campbell	R. L. Jackson	Denny P. Smith
Lee Clark	Grover C. Johnson	D. O. Stanley
Bradley Combs	J. Roy Johnson	Frank L. Strange
Leonard Cook	Theron M. Johnson	H. L. Taylor
W. W. Cooper	M. F. Jordan	Elmer J. Terry
Ben L. Cox	A. R. Kincheloe	J. A. Thompson
H. G. Crabtree	John B. Klefot	Thomas H. Troxel
Winn Davis	Frank LeBus	C. B. Truesdell
E. C. Dennington	Fred V. Lucas	H. Speed Tye
S. J. Douthitt	Joseph Martin	Dr. Vallandingham
C. B. Dowling	James A. May	J. D. Via
W. C. Dugan	Geo. R. McIntosh	J. E. Walters
Thomas Dunn	T. R. McRoberts	L. M. Weathers
J. W. Edwards	Henry Meiman	G. W. Wigginton
William A. Eimer	Harry J. Meyers	Robert Williams
Garland Embry	Clarence Miller	
J. O. Evans	M. F. Moore	—76

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 401. An Act to require all drivers of motor vehicles transporting school children to stop each and every such motor vehicle before crossing over any steam or electric interurban railroad main tracks at a grade, except such grade crossing be protected by gates or flag operated by employees of the railroads, and direction precautions that drivers of motor vehicles transporting school children shall take at grade crossings.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That all drivers of motor vehicles transporting school children are hereby required to stop each and every such motor vehicle before crossing over any steam or electric interurban railroad main tracks at a grade, stop to be made at not less than ten (10) feet nor more than thirty (30) feet from the nearest railroad over which the highway crosses, except where such crossing is guarded, crossing protected by gates of a flag controlled or operated by employees of such railroad. After making the stop herein required, the driver or operator of the motor vehicle shall carefully look in each direction for approaching cars or trains and shall not start his vehicle until it is ascertained that no cars or trains are aproaching in either direction. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars for each offense.

Because of the fact that hundreds of school children are now being transported in the Commonwealth of Kentucky and that there is constant danger that some of them may be hurt at railroad crossings, an emergency is hereby declared to exist, and this act shall become effective upon its passage and approval.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	G. Cunningham	C. E. Houk
E. S. Allison	William J. Curtis	R. L. Jackson
U. G. Anderson	Winn Davis	Grover C. Johnson
W. O. Baxter	S. J. Douthitt	J. Roy Johnson
S. A. Blackburn	C. B. Dowling	Theron M. Johnson
D. C. Bradley	W. C. Dugan	J. R. Johnston
T. L. Britton	Thomas Dunn	John B. Klefot
John Young Brown	J. W. Edwards	Frank LeBus
J. Watt Brown	William A. Eimer	Martin Light
John R. Buckman	Garland Embry	Fred V. Lucas
Dr. R. A. Byers	Joseph B. Everhart	H. R. Marquette
James A. Campbell	Virgil Eversole	Joseph Martin
Lee Clark	Kelly J. Francis	James A. May
Bradley Combs	John B. Furlong	Henry Meiman
Elmer Cook	F. A. Gnau	Harry J. Meyers
Leonard Cook	H. G. Handmaker	Clarence Miller
W. W. Cooper	Rev. B. L. Hargrove	M. F. Moore
Ben L. Cox	J. F. Harrison	F. Tyler Munford
H. G. Crabtree	Robt. L. Horn	Andrew W. Nichols

H. L. Nickell	Denny P. Smith	C. B. Truesdell
Fred A. Nolte	D. O. Stanley	H. Speed Tye
Caleb A. Page	Frank L. Strange	J. E. Walters
Curtis F. Park	E. J. Thomas	L. M. Weathers
James I. Peters	J. A. Thompson	G. W. Wigginton
W. E. Randall	Thomas H. Troxel	Robert Williams

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Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 454. An Act to make it the duty of the Clerks of the Senate to index the Journals of the General Assembly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

The Journals of the General Assembly made at any regular or called session shall, immediately after the end of each session, or as soon as practicable thereafter, be printed under the superintendence of the Clerks of the Senate, whose duty it shall be to prepare a full and accurate index to the same; and for said services shall receive such compensation as the Governor may deem reasonable. They shall also see that the printed Journals are compared with the manuscript Journals on file in the Clerk's office, so that they may in every respect conform in language.

All laws and parts of laws in conflict herewith are hereby repealed.

Mr. Meyers offered the following Amendments to said bill, viz.:

Amend S. B. 454 by inserting in line 4 of printed bill after the word "Senate" the following: "and the Clerks of the House of Representatives."

Amend S. B. 454 by insering in line 5 of the printed bill after the word "index" the following words "of the Journals of their respective houses" and striking out after the word "index" the words "to the same."

Mr. J. W. Brown moved that said amendments be laid on the table.

Said motion was disagreed to.

Said Amendments were then agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	James A. Campbell	S. J. Douthitt
E. S. Allison	Bradley Combs	C. B. Dowling
U. G. Anderson	Elmer Cook	W. C. Dugan
William B. Ardery	Leonard Cook	Thomas Dunn
S. A. Blackburn	W. W. Cooper	J. W. Edwards
John Young Brown	Ben L. Cox	William A. Eimer
J. Watt Brown	G. Cunningham	Garland Embry
John R. Buckman	Winn Davis	Kelly J. Francis

John B. Furlong	Fred V. Lucas	W. E. Randall
F. A. Gnau	James A. May	Denny P. Smith
L. B. Hamilton	Henry Meiman	D. O. Stanley
H. G. Handmaker	Harry J. Meyers	Elmer J. Terry
Robt. L. Horn	Clarence Miller	E. J. Thomas
R. L. Jackson	Russell O. Miller	J. A. Thompson
J. Roy Johnson	M. F. Moore	Thomas H. Troxel
Theron M. Johnson	Fred A. Nolte	C. B. Truesdell
M. F. Jordan	Caleb A. Page	Dr. Vallandingham
John B. Klefot	Curtis F. Park	J. E. Walters
Frank LeBus	John H. Pickett	G. W. Wigginton
Martin Light	John W. Preston	Robert Williams

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There voted in the negative—

A. R. Kincheloe —1

Mr. Meyers offered the following Amendment to the title of said bill, viz.:

Amend the title to S. B. 454 by inserting after the word "Senate" the following: "and the House of Representatives."

Said Amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Dorman moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a resolution which originated in that body, entitled:

H. Res. 45. Resolution for the appointment of a Commission to study the necessary permanent building program of the Commonwealth of Kentucky.

Ordered that said resolution be delivered to the Enrolling Clerk of this House.

Mr. Smith offered the following resolution, viz.:

WHEREAS, through the initiative of Governor Flem D. Sampson a meeting of the Republicans was called and held at the Capital Hotel in the city of Frankfort, Kentucky, on the evening of March 19, 1930, and

WHEREAS, Governor Flem D. Sampson is reported in the daily press to have, severally and without any basis, attacked the Judges of the Court of Appeals on account of a decision rendered by said Court while he was a member thereof, which decision was concurred in by every member of the Court, Democrats and Republicans, except the present Governor, who was then a candidate for Governor and who dissented without writing any dissenting opinion, and

WHEREAS, from the report of the statements of the Governor made at said banquet, as quoted in the daily press, he referred to the other six Judges of the Court of Appeals as "six of the gloomiest little men you ever saw" and

WHEREAS, the Senate and the people of Kentucky now have, and have always had, the highest regard and respect for the Judges of the highest court of the State and of their decisions, and

WHEREAS, said unwarranted and malicious attack on said Court and the Judges thereof, made by the Governor was unbecoming the Chief Executive of the Commonwealth of Kentucky, and would have been unbecoming if said even by the humblest citizen of the Commonwealth of Kentucky, and

WHERREAS, in the same speech above referred to, the said Governor Flem D. Sampson undertook to criticize and cast reflections upon the present General Assembly and the mem-

bers thereof in a manner unbecoming the Chief Executive of the great Commonwealth of Kentucky, and

WHEREAS, William B. Harrison, Republican Mayor of the city of Louisville, in a speech at said banquet undertook to cast similar reflection and insinuation on the highest court of this State and this General Assembly, he being quoted as saying, "They might judge us out of office, they may legislate us out of office, but, by God, they can't vote us out" which attack and insinuation were unbecoming and beneath the dignity of the Chief Executive of the great city of Louisville, and

WHEREAS, one J. C. Bird, State Commissioner of Public Institutions, at said banqet is quoted in the daily press as having made a speech purely partisan in nature, in which he criticized the present General Assembly and the members thereof, and is reported to have said that "The state would have been better off if this legislature, controlled by a little group of upstarts, had never convened" and

WHEREAS, the law under which Mr. Bird holds said office provides that the holder of said office shall not engage in any political activities, and

WHEREAS, said J. C. Bird, has, during his incumbency in said office constantly and continuously violated both letter and spirit of said law, has constantly and continuously engaged in pernicious political activities and has constantly disregarded the duties of said office.

Now, Therefore, Be It Resolved by this House of Representatives:

That the foregoing acts, conduct and statements of Flem D. Sampson, Governor; William M. Harrison, Mayor of the city of Louisville; and J. C. Bird, Commissioner of Public Institutions, be and the same are hereby condemned.

And Be It Further Resolved that the Commonwealth's Attorney of Franklin County be requested to cause the grand jury of Franklin County to investigate the pernicious political activities of the said J. C. Bird, engaged in flagrant

violation of the law governing the duties and conduct of said office.

And Be It Further Resolved, by the House of Representatives, that it is the sense of this body that the said J. C. Bird is wholly unfit to occupy said office, and that the statements made by Governor Flem D. Sampson relative to the highest court of this State but indicate his utter disregard for the Constitution and laws of this State as has been demonstrated by his conduct during his incumbency in the office of Governor of this Commonwealth, during which time the jurisdiction of the Courts has had to be resorted to for the protection of the Commonwealth of Kentucky and to prevent flagrant violations of the law by said Governor and those under his domination and control on many occasions.

Be It Further Resolved that it is the sense of this House of Representatives that the freedom on the judiciary and the highest court of this State and the highest court of the nation from political and other sinister influences is, and has always been, the highest exemplification of our form of government and the bulwark for the protection of our government and of the freedom of our citizens.

Said resolution was adopted and ordered spread upon the Journal of this House.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 253. An Act to assist ex-service men and women of Kentucky, who do not come under the provisions of the act known as the Kentucky Disabled Ex-Service Men's Board, in obtaining from the Federal Government the relief covered by Acts of Congress; creating for that purpose the Ex-Service Men's Commission of Kentucky, and appropriating money therefor; providing for the maintenance of an office,

stenographic and clerical help to carry on the work of the Commission.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created a Commission to be known as the Ex-Service Men's Commission of Kentucky, which shall continue in existence for the period of two years after the passage and approval of this act. The purpose of the Commission is to assist ex-service men and women in Kentucky who do not come under the provisions of the act known as the Kentucky Disabled Ex-Service Men's Board, and who are, or may hereafter be, entitled to aid from the United States Government, and to assist in preparing and presenting in proper form their respective claims to the proper Federal Agencies and expedite action thereon. The headquarters of the Commission shall be located in a city of the first class in the State of Kentucky.

§ 2. The Ex-Service Men's Commission of Kentucky shall, during the time for which its existence is continued by Section 1 of this act, be composed of four members, one of whom shall be the present Department Commander of the United Spanish War Veterans, Department of Kentucky, one of whom shall be the present Department Commander of the Veterans of Foreign Wars, Department of Kentucky, and one of whom shall be the present Department Commander of the Disabled American War Veterans, Department of Kentucky, who shall be known as the designated members of the Commission. The fourth member of the Commission shall be elected by the three designated members and shall be selected from and be a member in good standing in a recognized Ex-Service Men's Organization. The present Department Commander of the United Spanish War Veterans of Kentucky, the present Department Commander of the Vet-

erans of Foreign Wars of Kentucky, and the present Department Commander of the Disabled American War Veterans of Kentucky shall be those who are the Commanders of the respective organizations at the time of the enactment of this act. Each member of the Commission shall continue in office and constitute said Commission during the entire time that its life is extended under the provisions of Section 1 of this act, provided, however, that any vacancy that might occur by reason of death, resignation or removal of the place of residence from the State of Kentucky, shall be filled by the remaining members of the Commission from a list of eligible veterans by majority vote of said Commission, each of the veteran organizations referred to in this act shall in case of a vacancy existing recommend the names of three members from their organization and the nine so recommended shall compose the eligible list from which said vacancy shall be filled.

§ 3. Within fifteen days after the final passage and approval of this act, it shall be the duty of the Lieutenant Governor of the State of Kentucky to hold a meeting of this Commission for the purpose of electing the elective member of the Commission. After the elective member of the Commission has been selected and elected to membership on the Commission, it shall be the duty of the Lieutenant Governor of the State of Kentucky to set a date for the meeting of the entire personnel of the Commission for the purpose of selecting from their number a chairman and vice-chairman and the adoption of its rules and regulations for the governing of the affairs of the Commission; provided, however, that in the event that one or more of the designated members shall fail to attend the meeting called by the Lieutenant Governor of the State of Kentucky, the Lieutenant Governor will have the authority to adjourn said called meeting until a date not more than five days from the date of the adjourned meeting, and shall cause notice to be sent by registered mail to each of the designated commissioners advising them of the next meet-

ing date for the meeting of the Commission, and advising that if the designated commissioner, or commissioners fail to appear at said designated meeting that it will be construed as failure upon his or their part to qualify for the position of commissioner. In the event that a designated commissioner fails to attend said designated meeting of the Commission and to qualify as a member thereof, the designated members of the Commission present, provided that there are two present, together with the Lieutenant Governor, shall select a commissioner to take the place upon the commission of the designated commissioner who has failed to qualify as a commissioner, in which event it shall become the duty of the Lieutenant Governor of the State of Kentucky to advise, by registered mail, the designated commissioner who has failed to qualify by attending said meeting, of the action of the two designated commissioners and the Lieutenant Governor in filling that vacancy created by said designated commissioner's absence and to further advise him that unless said absent designated commissioner shall come before the Lieutenant Governor and the two designated commissioners at a date within fifteen days from the date said action was taken and show cause to the satisfaction of the Lieutenant Governor and said two designated commissioners why such action should not be taken, the order shall become effective and the selected commissioner designated to take the place of the designated commissioner who has failed to qualify shall be notified of his election to membership on said commission and directed to meet with the other designated commissioners and the Lieutenant Governor of the State of Kentucky at a meeting to be called by the Lieutenant Governor of the State of Kentucky within five days for the purpose of qualifying and being sworn in as a member of the Commission and the election of the fourth member of the Commission. When the membership of the Commission has been finally selected as set forth herein, the Commission shall meet at the time and place not more than fifteen days after said personnel has

been selected, for the purpose of electing a chairman and vice chairman and the adoption of its rules and regulations as set forth above.

§ 4. The provisions of this act shall apply only to the ex-service men and women, their widows and orphans in Kentucky who do not come under the provision of the act known as the Kentucky Disabled Ex-Service Men's Board.

§ 5. The Commission shall elect an executive secretary and shall employ such assistance, stenographic and clerical help as may be deemed necessary and reasonable for the proper performance of the work of the Commission. The executive secretary shall be paid an annual salary of twenty-four hundred dollars which shall be paid to him in equal monthly payments. It shall be the duty of the executive secretary with the assistance of the employees of the Commission to prepare in proper form, present and prosecute claims of all ex-service men and women of Kentucky, as herein provided. In event a World War Veteran shall apply to this Commission for assistance the Commission may after receiving written advice from the Kentucky Disabled Ex-Service Men's Board that applicant has not previously filed with that board a claim, shall proceed to assist said ex-service man. The executive secretary shall hold office during the same period as provided for members of the Commission, provided, however, that he may be removed by majority vote of members of said Commission for inefficiency or other just cause. The executive secretary shall have the right to cast the deciding vote on any matter of the Commission in case of a tie vote only. The other employees shall receive such compensation as may be decided upon by majority vote of the members of the Commission and their services may be dispensed with at the discretion of the Commission upon a majority vote.

§ 6. For the purpose of carrying out the provisions of this act there is hereby appropriated out of the State funds not otherwise appropriated to the Ex-Service Men's Commis-

sion of Kentucky, the sum of ten thousand dollars ($10,000.00) per year for two years. The Commission shall keep an accurate account of all receipts and disbursements, and its books shall be subject to examination and audit by the State Inspector and Examiner. Any part of the fund unused at the expiration of the period for which the commission is created shall be turned back to the general State fund.

§ 7. The Ex-Service Men's Commission of Kentucky shall have the power to expend such sums as may be necessary to employ clerical, stenographic, and other assistance for the executive secretary of the Commission. Members and employees of Commission shall be paid their actual and necessary expenses while engaged in the performance of their duty.

§ 8. The Ex-Service Men's Commission of Kentucky shall cease to exist on July 1st, 1932.

§ 9. All laws and parts of laws in conflict herewith are hereby repealed.

With a Committee Amendment thereto.

Said Amendment is as follows, viz.:

Amend S. B. 253, Section 4, by adding to said Section after the word "Board" in line 3 of said Section the following words: "And the United Spanish War Veterans Commission of Kentucky."

Said amendment was agreed to.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Garland Embry	James A. May
E. S. Allison	Joseph B. Everhart	Geo. R. McIntosh
U. G. Anderson	Virgil Eversole	T. R. McRoberts
S. A. Blackburn	Kelly J. Francis	Henry Meiman
D. C. Bradley	John B. Furlong	Harry J. Meyers
T. L. Britton	Ralph Gilbert	Clarence Miller
John Young Brown	F. A Gnau	M. F. Moore
J. Watt Brown	L. B. Hamilton	F. Tyler Munford
John R. Buckman	H. G. Handmaker	Andrew W. Nichols
James A. Campbell	Rev. B. L. Hargrove	Curtis F. Park
Lee Clark	J. F. Harrison	John H. Pickett
Bradley Combs	Robt. L. Horn	John W. Preston
Leonard Cook	C. E. Houk	W. E. Randall
W. W. Cooper	R. L. Jackson	D. O. Stanley
Ben L. Cox	Grover C. Johnson	Frank L. Strange
H. G. Crabtree	J. Roy Johnson	Elmer J. Terry
G. Cunningham	Theron M. Johnson	Thomas H. Troxel
William J. Curtis	J. R. Johnston	H. Speed Tye
J. J. Davis	M. F. Jordan	Dr. Vallandingham
Winn Davis	A. R. Kincheloe	J. D. Via
James R. Dorman	John B. Klefot	J. E. Walters
S. J. Douthitt	Frank LeBus	L. M. Weathers
C. B. Dowling	Martin Light	G. W. Wigginton
W. C. Dugan	Fred V. Lucas	Robert Williams
J. W. Edwards	H. R. Marquette	
William A. Eimer	B. K. Marshall, Jr.	—76

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate, announcing that they had passed a bill which originated in this House, entitled:

H. B. 310. An Act providing for the re-organization of the Department of Labor, etc.

With an Amendment thereto.

(For bill see House Journal of March 4)

Said amendment as offered by the Senate is as follows, viz.:

Amend H. B. 310 by striking out Section 7, on page 5.

Amend title by striking out the words "providing for an appropriation."

Said amendments were each concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	Dr. R. A. Byers	G. Cunningham
U. G. Anderson	James A. Campbell	William J. Curtis
W. O. Baxter	Lee Clark	Winn Davis
S. A. Blackburn	Bradley Combs	James R. Dorman
D. C. Bradley	Elmer Cook	S. J. Douthitt
T. L. Britton	Leonard Cook	C. B. Dowling
John Young Brown	Ben L. Cox	W. C. Dugan
John R. Buckman	H. G. Crabtree	Thomas Dunn

J. W. Edwards	Theron M. Johnson	H. L. Nickell
William A. Eimer	J. R. Johnston	James I. Peters
Garland Embry	M. F. Jordan	John H. Pickett
Joseph B. Everhart	A. R. Kincheloe	W. E. Randall
Virgil Eversole	John B. Klefot	D. O. Stanley
Kelly J. Francis	Frank LeBus	Frank L. Strange
John B. Furlong	Martin Light	Elmer J. Terry
F. A. Gnau	Fred V. Lucas	E. J. Thomas
L. B. Hamilton	Joseph Martin	J. A. Thompson
H. G. Handmaker	James A. May	Thomas H. Troxel
Rev. B. L. Hargrove	Clarence Miller	H. Speed Tye
J. F. Harrison	Russell O. Miller	J. E. Walters
C. E. Houk	M. F. Moore	G. W. Wigginton
R. L. Jackson	F. Tyler Munford	
Grover C. Johnson	Andrew W. Nichols	—67

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

And that they had passed a resolution which originated in this House entitled:

H. Res. 12. Resolution authorizing Charles Brown of Whitley county to sue the Commonwealth.

With an amendment thereto.

(For resolution see Journal of March 6)

Said amendment is as follows, viz.:

Amend H. Res. 12. by striking out all of printed matter on page 2 and inserting in lieu thereof the following: "therefore the said Charles Brown is hereby granted the privilege to sue the Commonwealth of Kentucky for such damages he may have sustained."

Said amendment was then concurred in.

Said resolution was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. C. Dugan	Henry Meiman
U. G. Anderson	J. W. Edwards	Harry J. Meyers
W. O. Baxter	William A. Eimer	Clarence Miller
S. A. Blackburn	Garland Embry	M. F. Moore
D. C. Bradley	Joseph B. Everhart	F. Tyler Munford
T. L. Britton	Kelly J. Francis	M. L. Napier
John Young Brown	John B. Furlong	Andrew W. Nichols
J. Watt Brown	F. A. Gnau	H. L. Nickell
John R. Buckman	L. B. Hamilton	Curtis F. Park
Dr. R. A. Byers	H. G. Handmaker	John H. Pickett
James A. Campbell	Rev. B. L. Hargrove	W. E. Randall
Lee Clark	C. E. Houk	Denny P. Smith
Bradley Combs	R. L. Jackson	D. O. Stanley
Elmer Cook	Grover C. Johnson	Frank L. Strange
Leonard Cook	J. Roy Johnson	Elmer J. Terry
W. W. Cooper	Theron M. Johnson	E. J. Thomas
Ben L. Cox	J. R. Johnston	J. A. Thompson
H. G. Crabtree	M. F. Jordan	Thomas H. Troxel
G. Cunningham	John B. Klefot	H. Speed Tye
William J. Curtis	Martin Light	J. E. Walters
Winn Davis	Fred V. Lucas	L. M. Weathers
James R. Dorman	Joseph Martin	G. W. Wigginton
S. J. Douthitt	James A. May	Robert Williams
C. B. Dowling	T. R. McRoberts	—71

Mr. Dorman of Rules Committee moved that the vote by which said resolution was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill and resolution last named of Senate message be delivered to the Enrolling Clerk of this House.

Mr. Park moved that John Smith Page be made an honorary page of this House.

Said motion was agreed to.

Mr. Williams moved that Margaret Ellen Bartley be made an honorary page of this House.

Said motion was agreed to.

Mr. Handmaker moved that Miss Virginia Miller be made an honorary page of this House.

Said motion was agreed to.

At the instance of the Committee on Rules the House took up for consideration from the Orders of the Day a bill entitled:

S. B. 277. An Act repealing Chapter 181 of the Acts of the General Assembly of 1928, and enacting in lieu thereof an Act establishing as a part of the primary system of State highways a road from a point on the Bosworth Trail at or near Big Hill Post Office, in Madison County, thence via Berea and within one mile of Wallaceton to a point on the State highway at or near Paint Lick, in Garrard County.

Said bill is as follows:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road from a point on the Bosworth Trail at or

near Big Hill Post Office, in Madison County, thence via Berea and within one mile of Walliston to a point on the State highway at or near Paint Lick, in Garrard County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

§ 3. Chapter 181 of the Acts of the General Assembly of 1928 is hereby repealed.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

F. B. Adcock	W. W. Cooper	F. A. Gnau
E. S. Allison	Ben L. Cox	L. B. Hamilton
U. G. Anderson	H. G. Crabtree	H. G. Handmaker
William B. Ardery	G. Cunningham	Rev. B. L. Hargrove
W. O. Baxter	William J. Curtis	Robt. L. Horn
S. A. Blackburn	Winn Davis	C. E. Houk
D. C. Bradley	James R. Dorman	R. L. Jackson
John Young Brown	S. J. Douthitt	Grover C. Johnson
J. Watt Brown	C. B. Dowling	J. Roy Johnson
John R. Buckman	W. C. Dugan	Theron M. Johnson
Dr. R. A. Byers	William A. Eimer	J. R. Johnston
James A. Campbell	Joseph B. Everhart	M. F. Jordan
Lee Clark	Kelly J. Francis	A. R. Kincheloe
Bradley Combs	John B. Furlong	John B. Klefot

Frank LeBus	F. Tyler Munford	Denny P. Smith
Martin Light	Andrew W. Nichols	D. O. Stanley
Fred V. Lucas	H. L. Nickell	Elmer J. Terry
H. R. Marquette	Curtis F. Park	J. A. Thompson
James A. May	James I. Peters	C. B. Truesdell
Henry Meiman	John H. Pickett	J. E. Walters
B. T. Morris	W. E. Randall	—62

Resolved that the title thereof be as aforesaid.

Mr. Dorman of Rules Committee moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Napier of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, bills and resolutions of the following titles, viz.:

S. Res. 41. Resolution relating to highways in Mammoth Cave Area.

S. Res. 42. Resolution relating to the Vincent-Strange Act.

S. Res. 43. Resolution memorializing President of United States.

S. Res. 16. Resolution authorizing Pan-American Bridge Company to sue the Commonwealth.

S. Res. 39. Resolution memorializing Congress.

S. Res. 37. Resolution relating to Veterans' Bureau.

S. Res. 40. Resolution authorizing Muir Welch of Nicholasville, to sue the Commonwealth.

S. Res. 28. Resolution to permit N. B. Sutton to sue the Commonwealth.

S. B. 89. An Act to repeal and re-enact Sec. 1224, Kentucky Statutes, relating to shooting at persons from ambush.

S. B. 80. An Act providing for the purchase of property by cities of the 2nd Class to be used as public parks.

S. B. 104. An Act to amend chapter 67, Sec. 3 and 5 of Acts of 1928 by appending clause to Sec. 3 requiring fishermen to have license.

S. B. 118. An Act for the benefit of Mary Malissa Wells.

S. B. 151. An Act to amend and re-enact Sec. 3235a-28 Kentucky Statutes, relating to Board of Education.

S. B. 159. An Act to provide for the change in name of a child adopted, pursuant to Sections 2071 and 2072.

S. B. 231. An Act regulating the transportation by motor vehicle of all officers and employees of the Commonwealth.

S. B. 258. An Act concerning the establishment of County Law Libraries.

S. B. 270. An Act to regulate aviation.

S. B. 337. An Act relating to the office of Assistant Secretary of State.

S. B. 384. An Act to amend Chapter 29 of the Acts of the General Assembly of 1924, changing the time of holding Circuit Court in 31st Judicial District.

S. B. 344. An Act to fix and regulate the time of holding the terms of Circuit Court in the 29th Judicial District.

S. B. 367. An Act amending Sec. 2739j-30 Kentucky Statutes, Baldwin's 1926 Kentucky Statutes Service.

S. B. 444. An Act relating to the adoption of text books.

S. B. 353. An Act to repeal and re-enact Sec. 2380, Subsec. 2, Kentucky Statutes, Carroll's Edition.

S. B. 331. An Act relating to primary system of roads and highways.

S. B. 330. An Act relating to primary system of roads and highways.

S. B. 322. An Act to amend Sec. 2413 Carroll's Kentucky Statutes, 1922 Edition, conferring power of contract and condemnation on counties where the fiscal court undertakes to drain ponds, etc.

S. B. 316. An Act relating to primary system of roads and highways.

S. B. 195. An Act relating to classiffication of cities of the Commonwealth of Kentucky.

S. B. 96. An Act to dispense with administration of the estates of deceased persons in certain cases.

S. B. 323. An Act relating to primary system of roads and highways.

S. B. 38. An Act relating to salaries of Deputy County Court Clerks in counties having a population of 200,000 or more.

S. B. 381. An Act relating to primary system of roads and highways.

S. B. 363. An Act relating to primary system of roads and highways.

S. B. 333. An Act relating to primary system of roads and highways.

S. B. 392. An Act relating to primary system of roads and highways.

S. B. 397. An Act relating to primary system of roads and highways.

S. B. 436. An Act relating to primary system of roads and highways.

S. B. 407. An Act relating to primary system of roads and highways.

S. B. 222. An Act fixing the time in which an action shall be commenced for the purpose of setting aside a tax deed.

S. B. 383. An Act amending Chapter 31 of the Acts of 1920 relating to the practice of optometry.

S. B. 443. An Act relating to primary system of roads and highways.

S. B. 434. An Act relating to primary system of roads and highways.

S. B. 128. An Act repealing Sec. 4282, 4283, 4284, and 4285, Chapter 109, Kentucky Statutes, 1922 Edition.

S. B. 102. An Act relating to dogs and livestock.

S. B. 73. An Act providing for the licensing of drivers of motor vehicles.

S. B. 379. An Act to amend and re-enact Sec. 911 Kentucky Statutes, 1930 Edition, being Chapter 157 of the Acts of General Assembly, 1928.

S. B. 412. An Act relating to primary system of roads and highways.

S. B. 308. An Act to amend and re-enact Sec. 2290a, Chapter 74a, of Carroll's Kentucky Statutes, 1922.

S. B. 385. An Act requiring that before a deed to real estate title to which has been acquired by the grantor or grantors therein by descent from an ancestor shall be filed for record an affidavit shall be filed with the Clerk of the County Court.

S. B. 293. An Act to amend and re-enact Sec. 301, Kentucky Statutes, relating to the powers and duties of the Board of Visitors of the Kentucky School for the Blind.

S. B. 401. An Act to require all drivers of motor vehicles transporting school children to stop each and every such motor at grade crossings, etc.

S. B. 109. An Act making it the duty of the State Inspector and Examiner to inspect and examine the office of the sheriff, county attorney, etc.

S. B. 454. An Act to make it the duty of the Clerks of the Senate to index the Journals of the General Assembly.

S. B. 400. An Act to appropriate $74,565.45 for purpose of providing for payment of deficit in budget of Custodian of Public Buildings.

S. B. 417. An Act to provide for the manufacture of license plates or tags for motor vehicles.

S. B. 431. An Act relating to county patrolmen.

S. B. 327. An Act to amend and re-enact Sec. 2739j-27 and 3739j-32 of Kentucky Statutes.

S. B. 416. An Act relating to common schools and specifically relating to a quorum of the State Board of Education.

S. B. 440. An Act increasing and fixing the salaries of first Assistant Commonwealth's Attorney.

S. B. 435. An Act authorizing refund of motor vehicle license in event such motor vehicle is destroyed by fire or accident.

S. B. 176. An Act relating to tax collector in cities of the 4th Class.

S. B. 229. An Act to amend subsec. 9 of Sec. 3704, Kentucky Statutes, relating to cemeteries.

S. B. 453. An Act to amend Sec. 1 of chapter 1991 of Acts of 1926, Carroll's Edition of 1930.

S. B. 336. An Act empowering the Insurance Commissioner of the State of Kentucky to suspend and revoke for a cause the license of an agent of a life insurance company.

S. B. 359. An Act to repeal and re-enact Sec. 2380, subsec. 26, Kentucky Statutes, relating to the contract for the construction of the drainage project, etc.

S. B. 56. An Act to require all owners and lessees of all ferries operated on any stream in the Commonwealth to provide and make warning signs, etc.

S. B. 111. An Act regulating the planting of trees, shrubs, etc.

H. B. 484. An Act to amend Sec. 3713, Kentucky Statutes, Carroll's 1922 Edition.

H. B. 720. An Act authorizing the fiscal courts of counties having cities of the second class to employ a Zoning Engineer.

H. B. 697. An Act establishing a Bureau of Medical Education and hospitals in the State Board of Health.

H. Res. 43. Resolution for the benefit of certain employees who care for the State Capitol.

H. B. 438. An Act repealing Sec. 2739g-7, Kentucky Statutes.

H. B. 488. An Act relating to the establishment of public highways and prescribing the width of same.

H. Res. 46. Resolution providing for furnishing Kentucky Directories.

H. B. 413. An Act to enable the county court to order the transfer of corporate stock by a personal representative.

H. B. 473. An Act to permit fiscal courts of counties containing cities of the first class, in which there has been erected a Memorial to the Soldiers, etc., to make annual contributions.

H. B. 513. An Act to amend and re-enact Sec. 3563 of Kentucky Statutes, relating to the improvement of public ways in cities of the 4th class.

H. B. 453. An Act to amend subsec. 9 of Section 3704 of Kentucky Statutes, relating to cemeteries owned by cities of the sixth class.

H. B. 553. An Act further regulating common carriers and prescribing the duties and powers of the Railroad Commission of Kentucky with reference thereto.

H. Res. 20. Joint Resolution for the payment to John P. Cusick, secretary of the State Board of Election Commissioners.

H. Res. 24. A resolution authorizing Walter Pennington to sue the Commonwealth.

H. B. 127. An Act to repeal and re-enact Sec. 1 of Sec. 606 of Carroll's Kentucky Civil Code.

H. B. 128. An Act appropriating Four Hundred and Seventy-five Dollars to M. Livingston and Company on account of overpaid taxes.

H. B. 177. An Act to provide for the appointment of a curator.

H. B. 208. An Act to establish and maintain a public employment service in connection with the Department of Labor.

H. B. 364. An Act releasing owners of motor vehicles from responsibility for injuries to passengers therein.

H. B. 411. An Act concerning the laws of the State and the reports of the Court of Appeals.

H. B. 468. An Act to amend and re-enact Sec. 1 of chapter 143 on page 636 of the Acts of 1920 which was neither approved nor disapproved by the Governor, etc.

H. B. 597. An Act appropriating eighteen thousand dollars to the Kentucky State Industrial College for Colored Persons at Frankfort, Kentucky.

H. B. 740. An Act concerning and providing for the closing, discontinuing and condemning of streets, etc.

H. B. 729. An Act providing that all educational institutions which do junior college work and educational work above that standard.

H. B. 771. An Act relating to the Kentucky State Park Commission and validating and providing for the payment of bills incurred by said Commission.

S. B. 433. An Act relating to primary system of roads and highways.

S. B. 277. An Act relating to primary system of roads and highways.

S. B. 253. An Act to assist ex-service men and women of Kentucky who do not, etc.

S. B. 79. An Act to repeal chapter 42 of the Acts of the 1924 Legislature and enact in lieu thereof an Act requiring the State Librarian to and directing him to furnish to the Law Library, etc.

H. B. 22. An Act defining a particular type of the offense of conversion of personal property, etc.

H. B. 119. An Act to amend, revise and re-enact Sec. 133 of an Act relating to and amending the charter of cities of the first class.

H. B. 188. An Act to repeal and re-enact Chapter 1 of the Acts of 1928, relating to the maintenance of public ditches.

H. B. 276. An Act relating to fiduciaries.

H. B. 325. An Act to repeal and re-enact Sec. 1059 Kentucky Statutes, relating to the appointment of a county Judge pro tem.

H. B. 349. An Act to appropriate $530.86 for the use and benefit of the office of State Treasurer, etc.

H. B. 356. An Act requiring the State Librarian to furnish to the Law Library of the University of Louisville, two sets of the Acts of the General Assembly.

H. B. 392. An Act to provide for the regulation of employment agencies.

H. B. 400. An Act relating to certain funds for district or county Sanatoria, etc.

H. B. 457. An Act entitled an Act to amend Sec. 965 Kentucky Statutes, 6th Edition.

H. B. 474. An Act concerning the title records and leases of land owned or leased by the State.

H. B. 502. An Act to amend Art. 11 relating to municipal corporations of the second class.

H. B. 512. An Act making it unlawful for any person, firm, corporation to erect a filling station in any city of the first class, etc.

H. B. 515. An Act relating to public roads.

H. B. 546. An Act fixing the salary of the Commissioners of Water Works in cities of 2nd Class.

H. B. 547. An Act relating to primary system of roads and highways.

H. B. 561. An Act authorizing Wayne County Board of Education to pay Ray Taylor the sum of $402.50.

H. B. 566. An Act relating to primary system of roads and highways.

H. B. 568. An Act relating to primary system of roads and highways.

H. B. 570. An Act relating to primary system of roads and highways.

H. B. 578. An Act to extend and prescribe the rights of any railroad company, etc.

H. B. 581. An Act relating to primary system of roads and highway.

H. B. 585. An Act relating to primary system of roads and highways.

H. B. 586. An Act authorizing and empowering The Commonwealth of Kentucky by and through the State Highway Commission to acquire, etc.

H. B. 590. An Act relating to primary system of roads and highways.

H. B. 592. An Act relating to primary system of roads and highways.

H. B. 598. An Act relating to primary system of roads and highways.

H. B. 600. An Act relating to primary system of roads and highways.

H. B. 604. An Act relating to Circuit Courts of continuous session.

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Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills and resolutions which originated in the Senate, be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills and resolutions which originated in this House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills and resolution which originated in the House, duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills and resolutions to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Meyers moved that a Committee be appointed to inform the Senate that the House had completed the business before it in regard to the further consideration of bills in the Orders of the Day, and had discontinued further consideration of such bills.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Meyers, LeBus and Strange as members constituting said Committee.

After a time the Commitee reported that they had discharged the duties imposed upon them, and that the Senate had likewise appointed a Committee that would notify the House when it had completed its business and was ready to adjourn.

After a time a Committee from the Senate, composed of Senators Gates Young, Franklin and Fitspatric, reported to the House that the Senate had completed the business before it and when the House had done likewise, that they were

ready to adjourn sine die; also requesting the House to appoint a like Committee to act in conjunction with them to wait upon the Governor to ascertain from him should he have any further communication to make to the General Assembly before it adjourned sine die.

The House having completed its business for this General Assembly, Mr. Meyers moved that a Committee be appointed to inform the Senate of same, and in conjunction with a like Senate Committee heretofore mentioned, to wait upon the Governor and inform him that the Senate and House of Representatives, composing this General Assembly, have completed their labors and are now ready to adjourn sine die, and to ascertain from him if he has any further communication to make to the General Assembly.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. J. Y. Brown, Terry and Thompson as members constituting said Committee.

After a time the Committee returned and reported that, with a like Committee of the Senate, they had discharged the duties imposed upon them; had waited upon the Governor, informing him that the General Assembly was about to adjourn sine die, and asking if he had any further communication to make to the General Assembly, of which they were informed by the Governor that he had no further communication to make to the General Assembly.

And the House adjourned sine die.

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H. B. 460—Rochester to Union School House.
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H. B. 462—Randolph to Rowland place.
H. B. 463—White Stone quarry road to Greenville.
H. B. 470—Blame to Estep.
H. B. 471—Geneva to Sand Hill.
H. B. 472—Reed to Nat Standley's corner.
H. B. 477—Mt. Sherman to Highway 11½.
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H. B. 518—Covington to Alexandria.
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H. B. 520—Rumsey to Barrett's farm.
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H. B. 522—Glenville to Glover's school house.
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H. B. 543—Dr. Spicer's farm to Seminary.
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